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*The Landing of The Pilgrims of Maryland.*

**HISTORY**  
**OF**  
**MARYLAND;**

**FROM ITS**  
**FIRST SETTLEMENT IN 1634,**  
**TO THE**  
**YEAR 1848.**

**BY JAMES McSHERRY.**

**SECOND EDITION, REVISED AND CORRECTED BY THE AUTHOR.**



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TO THE  
**YOUTH OF MARYLAND,**

THIS BOOK  
IS RESPECTFULLY DEDICATED,

IN THE HOPE,  
THAT ITS PERUSAL MAY IMPRESS UPON THEIR MINDS

The History of their Native State,  
STRENGTHEN THAT DUTIFUL AND PATRIOTIC LOVE WHICH THEY OWE IT,  
AND INDUCE THEM TO ADMIRE AND IMITATE  
THE VIRTUE, THE VALOUR, AND THE LIBERALITY,

OF  
THEIR FOREFATHERS.





## PREFACE.

IN this work the author has endeavored to compress together, in a popular form, such events in the history of Maryland as would interest the general reader, and to give a simple narration of the settlement of the colony; its rise and progress; its troubles and revolutions; as well as the long periods of peace and serenity, which beautified its early days:—to picture the beginning, the progress, and the happy conclusion of the war of independence—the fortitude and valor of the sons of Maryland upon the field, and their wisdom in council. He has, therefore, dwelt upon those portions of the revolutionary battles, alone, in which they bore a conspicuous part. From the close of that war, and the adoption of the constitution of the United States,—mingling and identifying the most important parts of the history of the State, with that of the nation—he has only attempted to sketch out a few of the results, which have denoted its progress and prosperity, avoiding carefully, as unsuited to the object of his labors, the strifes and contentions of parties, however interesting a portion of its political history they may present.

In conclusion, he tenders his acknowledgements to the president and other officers and members of the Maryland Historical Society, for the uniform kindness with which they have at all times afforded him access to their archives, and facilitated his researches among their valuable collections.

FREDERICK, January 1, 1849.



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# HISTORY OF MARYLAND.

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## INTRODUCTORY CHAPTER.

**T**HE discovery of America in 1492, by CHRISTOPHER COLUMBUS, at a time when the chivalry of Spain was in its brightest and its latest glory, threw open to the brave spirits fresh from the conquest of Granada, and the victorious battle fields of Italy, a new world, full of wild adventures, of novel wonders, and teeming, in their fancies, with measureless riches. The graceful forms of a strange race, whose complexions were tinted with the hues of the sun, the gorgeous specimens of their wealth and their works of art, displayed before the admiring court of Ferdinand and Isabella, turned all hearts towards this El Dorado of the west; and the discovery of the beautiful isles of the great gulf, was followed by the conquest of Mexico, and of Peru; by the exploration through the swamps of Florida and the plains of Louisiana in quest of the fabled waters of perpetual life—expeditions wilder than any ever sketched out before in the fancy of the novelist, or the song of the minstrel, sometimes crowned with success, sometimes disastrous in the extreme.

The rich mines of the south, its fertile soil producing alike, spontaneously, the necessities and luxuries of life; its beautiful sky and its balmy air, similar to, but sur-

passing their own, allured the Spaniard and the Portuguese who never once turned their steps to the colder climate and the temperate skies of a more northern latitude; and a century passed before another race, from a congenial land, shaped their course towards that region, which has since become the seat of a great and powerful people, excelling in wealth, in freedom, in the arts, the dwellers in the earlier settled, but more enervating countries of the south.

But the one was fostered and cherished by the blasting kindness of a royal hand—the other grew up, untended and unheeded, breasting the storms, providing for its own safety, protecting itself and gaining from use the strength of manhood, even in its early infancy. The Spaniards cast their lot amongst a semi-civilized race, whom they subdued, and with whom they intermingled their blood; and were a royal government over a conquered people. The English came to build up their empire in a wild uncultivated forest, with a savage foe around them, whom they exterminated, and then found none, within their borders, who were not equals and freemen. Thus it was that the mingled race of the north, composed, as in time it came to be, of many nations and different peoples—the fiery Celt and Frank—the phlegmatic German, and the ever-pressing-onward Anglo-Saxon—gathering the best features from each, assimilated into one mass of marked power and energy; while the colonists of Spain, carefully nursed by the crown, and swaddled into weakness and effeminacy, deteriorated by commingling with an inferior race, grew up into a sickly state, and slowly arrived to that degree of strength which enabled them to cast off the political control of the mother country,—the effects of their early misgovernment still appearing in a want of firmness, unanimity, and ability for self-legislation.

Scarcely had the report of the wonderful discoveries of Columbus reached the court of Henry the seventh, of Eng-

land, before the spirit of adventure awoke in that kingdom, and an expedition was planned by a citizen of Venice, Giovanni Gaboto—or John Cabot, as he is usually called—for the purpose of exploring a more convenient route to the Indies, a portion of which the recent Spanish acquisitions were supposed to be. Many delays occurred from the want of sufficient aid to undertake the voyage, and it was not until a short time before the death of John Cabot that the king consented to further the enterprise, by issuing his license, dated on the 3d of February, 1498, authorizing him "to seize upon six English ships in any port or ports of the realm of England, of 200 tons burthen or under, with their requisite apparatus, &c."\* Upon the death of the father, Sebastian Cabot, the son, applied to the king for assistance to carry out the design. He was furnished with one ship at the royal expense; while three or four more were fitted out by the merchants of Bristol. In May, 1498, the fleet weighed anchor, and after several weeks sailing due west, discovered land, which they called Newfoundland. A few days after, they made another island, which they named St. John. Still pursuing a western course, Cabot soon reached the main land, just in season to contest with the Spanish navigators the honor of having first touched the Continent of America. He coasted along the newly discovered shores as far south as the thirty-eighth degree of latitude, when his provisions growing short, and a mutiny breaking out among the sailors, he was compelled to put about and steer for England, where he arrived in safety. It is highly probable that Cabot, in this voyage, discovered and touched upon the Atlantic shore of Maryland, which lies within the thirty-eighth and ninth degrees; and the eastern shore of Worcester county was, therefore, the last portion of the continent which he visited. It seems that several abortive attempts were made to follow up the discoveries of Cabot, but, during

\* Bozman's Maryland, vol. 1, p. 12.

the remainder of the reign, the spirit of enterprise appeared to have died away, or turned to other objects. In the mean while, the French, Spaniards, and Portuguese prosecuted their discoveries with unabated zeal and complete success. Giovanni Verazzini, a Florentine, in the service of France, made three voyages of discovery along the coast of North America, the second of which, in 1524, afterwards became famous, as the foundation of much of the French claims to their extensive possessions in the New World. But the only interest which these explorations have to the student of Maryland history, is in the fact, that the Florentine was the second navigator who passed along the shores of the State, and the first to cross before the mouth of the Chesapeake Bay, though the Bay itself was not discovered until 1585, by Governor Lane, of the first colony of Virginia. Yet this vast inlet was not traversed for some years; and it is said that Captain Bartholomew Gilbert, in 1603, was the first to enter and explore it.

Somewhat more than a century passed, from the discovery of North America by Cabot, before any successful attempt was made by the English to colonize it. These enterprises are, to a certain extent, connected with the history of Maryland, and therefore necessary to be touched on here. In the year 1606 were formed, the London and Plymouth Companies, and, by letters patent issued on the tenth day of April in that year, the portion of the Continent lying between the thirty-fourth and forty-fifth degrees of north latitude, was granted to them in nearly equal shares, — the territory from the first mentioned degree to the forty-first being assigned to the London, and from the thirty-eighth to the forty-fifth to the Plymouth Company; and, as by this provision there was a territory of three degrees in extent which was common to both, it was further specified, that the party who first settled within this region, thus overlapped by the two grants, should possess the coast fifty miles

each way from the point of settlement, and one hundred miles to the interior, whilst no settlement was to be made by the other company within one hundred miles of the first.

The London Company immediately began their preparations, which, although they were completed somewhat later than those of the Plymouth Company, were productive of greater results. The fleet consisting of a vessel of one hundred tons, one of forty and one of twenty, with one hundred and five colonists on board, set sail from Blackwall, on the Thames; on the 19th of December, 1606, under the command of Capt. Christopher Newport.\* They carried with them sealed instructions, to be opened only upon their arrival in Virginia. After many difficulties and delays, they had nearly reached their destination at Roanoke, when they were driven by a violent storm into the Chesapeake; which they entered on the 26th of April. Here they opened their instructions, which appointed a council of seven with certain powers for the government of the colony. In the early part of May they began to explore James river, and having selected a beautiful peninsula, given them by an Indian chief, they laid the foundation of Jamestown on the 13th of May, 1607.

The new colonists suffered much from scarcity of provisions, from frequent attacks of the savages, and not less from internal dissensions; and, but for the prudence and energy of Capt. John Smith, would very probably have met with the same evil fate which befell former settlements. At length, however, the arrival of two ships from England laden with supplies, relieved their present necessities and increased their strength and numbers by seasonable reinforcements. Instead of seeking in the cultivation of the soil the true wealth of the earth, the Virginians turned their whole attention to gathering cargoes of glittering sands for the returning ships. In vain Smith remonstrated:

\* Bozman, vol. 1, p. 39.

the discovery of this imaginary gold had intoxicated them, and they scorned the humbler but surer resources of agriculture. The consequences were soon felt in a growing scarcity of food.

But Smith was not idle. Turning his eyes towards that vast inland sea near whose mouth they were situated, he judged rightly that an exploration of its shores would open extensive resources to the colonists, by means of trade, with the Indians. On the 2d of June, in the year 1608, in an open boat of about three tons burden, accompanied by a physician, Dr. Russel, six gentlemen and seven soldiers, he departed from the fort, at Jamestown on his daring expedition. They boldly struck across the Bay, and having discovered Smith's isles, made the eastern shore, and were directed by two Indians whom they found there, to the habitation of the Werowance or chief of their tribe, at Accomack. Departing thence, they examined many creeks and harbors, discovered some islands, which they called Russel's islands—now Watts'—named several points, and at length reached the river Wighcocomo or Wighco, supposed to be the Pocomoke, whose mouth afterwards became the southern point of boundary in the charter of the province of Maryland. After suffering from want of water, and being driven about by storms, they entered the Nanticoke river, which was called by the Indians Cuskara-waock, where the natives assembled in large numbers to oppose their landing. A few shots were sufficient to disperse them. In the course of several days, however, a good understanding was established with them, and the Indians vied with each other in supplying the wants of the strangers, considering a little bead an ample remuneration for all they could bestow. Not satisfied with the appearance of the Eastern shore, they passed out through Hooper's straits, or the Straits of Limbo, as they named them, and stood directly for the cliffs on the western coast, along

which they sailed thirty leagues northward, finding no inhabitants in all that space. They were now some distance above the Patapsco, which river they described as one navigable for ships, and called Bolus, supposing the red and white earth upon the banks to be *bole armoniack*. They had already been in their open boat fourteen days, and their provisions were much damaged by the wet; and the men, worn down with laboring at the oars, besought their indefatigable captain to return. He succeeded in persuading them to continue three or four days; when several of the men falling sick, and the complaints of the remainder becoming louder, Smith put about, after having reached as far north as Poole's Island, and steered towards the south. On the 16th of June they discovered the Potowmac, or *Patowomek*, up which they sailed about thirty miles, where after having met with a hostile reception, they landed on the Virginia shore. From this place, about Nominy Bay, they continued up the river, touching at various points, until they had passed the present site of Washington city, "having gone as high as they could in their boat." Here they were met by savages in canoes, loaded with the flesh of deer, bears and other animals, of which they obtained a portion. Upon their return they met with many adventures, but reached Jamestown in safety, on the 21st of July, one month and nineteen days from the date of their departure.

Not satisfied with the result of his expedition, the indefatigable Smith fitted out another, accompanied by most of those who had followed him in the first. They set out on the 24th of July, 1608, and made directly towards the mouth of the "Bolus," or Patapsco. Thence they proceeded to the head of the bay and explored the entrances of the Susquehannah, the North-east, the Elk, and Sassafraß rivers. The banks of the Susquehannah and the Sassafraß, or, as Smith calls it, the Toghwoh, they found inhabited.



On the bay they met seven or eight canoes of Massawomeck Indians who prepared to assault them: they, however, by signs, obtained an amicable conference. They sailed up the Sassafra, where the natives received them with the greatest kindness, danced before them, and offered them fruits and furs and all their simple hospitality. There they learned that the Susquehannahs, residing on the river of the same name, were the most warlike and powerful tribe of that region. Having fully explored the head of the bay, and entered the Susquehannah as far as they could penetrate—to the point called Smith's Falls—they returned to Virginia after an absence of three months in an open boat.\*

In 1620, the bay was again entered and further explored by Mr. John Pory, who visited several towns belonging to the savages inhabiting its shores.†

The Virginia Company, having become dissatisfied with their charter, petitioned the king for a new one, which was accordingly issued on the 23d of May, A. D., 1609. By it the king granted and confirmed to them "all those lands, countries and territories, situate, lying and being in that part of America, from Point Comfort all along the sea coast northward two hundred miles," and to the same extent southward, "and all that space and circuit of land lying from the sea coast of the precinct aforesaid, up into the land throughout, from sea to sea, west and north-west, and all the islands lying within one hundred miles along the coast of both seas of the precinct aforesaid."

Three years after, in 1612, finding new powers necessary, the Company applied for a third charter: which was issued to them on the 12th of March, 1611-12, confirmatory of the second charter. Various disputes having arisen in the Company, the crown became hostile to its continu-

\* Smith in Bozman—the notes of Bozman upon him, vol. 1, p. 105 to 133.

† Ibid. p. 148.





*George Calvert,*

*The First Lord Baltimore*

*was the first Lord of the great colony*

*of Maryland, then called Kent and Anne*

*Arundell, and was the first Lord of the*

*Province of Maryland*

ance, and a writ of quo warranto was issued against it in November, 1623. In May, 1624, judgment was given against the Company in King's Bench, and the charters declared to be forfeited. The corporate existence of the colony therefore ceased. The administration of its affairs was taken under the immediate control of the crown, the settlement reduced to a royal government, and a commission issued by the king to a provisional council for the direction of its affairs. By this act the extensive territory, heretofore granted to the late London Company, reverted to the crown and became the fit subject for new grants and the erection of other provinces.\*

Among those who had become interested in the London or Virginia Company, under its second charter, in 1609, was Sir George Calvert, afterwards the founder of Maryland. He was educated at Trinity College, Oxford, where he took his degree of Bachelor of Arts in 1597, with some distinction. He finished his education by a tour on the Continent. On his return he obtained an office at the court, under Sir Robert Cecil, one of the principal Secretaries of State. In 1617 he was knighted by the king, having been appointed one of the clerks of the privy council. In 1619 he became one of the Secretaries of State, an office which he filled with honor to himself and great profit to his sovereign, whose high estimate of his services was proved by the grant of a pension of one thousand pounds a year, which he bestowed upon him in 1620. In the warm debates in the House of Commons, where he represented, first Yorkshire, in 1620 and, subsequently, the University of Oxford, he always maintained the rights and protected the interests of the king, and that monarch, afterwards, did not fail to prove his grateful recollection of his loyalty. Sir George Calvert had early engaged in the schemes of colonization of that period, and upon the

\* Bancroft.

dissolution of the Virginia Company, of which he had been a member, he was named by the king one of the royal commissioners to whom the government of that colony was confided.\*

Hitherto he had been a Protestant,† but in 1624, having become unsettled in his religious convictions, he renounced the church of England in which he had been bred, and embraced the faith of the Catholic church. Moved by conscientious scruples, he determined no longer to hold the office of secretary of state, which would make him, in a manner, the instrument of persecution against those whose faith he had adopted, and tendered his resignation to the king, informing him that "he was now become a Roman Catholic, so that he must be wanting to his trust or violate his conscience in discharging his office."‡ The king, not unfrequently generous to the open and candid, was moved by his honest avowal, and while he accepted his resignation, continued him as a member of his privy council for life, and soon after created him Lord Baltimore, of Baltimore, in Ireland.§

The spirit of intolerance at that time pervaded England. It was indeed too prevalent throughout the world—for men had yet to learn that conscience cannot be bound by chains nor enforced by scourges, and that religious liberty is the inalienable right of all. The laws against the Catholics in England were particularly severe and cruel, and rendered it impossible for any man to practice his religion in quiet and safety. Sir George Calvert felt this; and although he was assured of protection from the gratitude and affection of the king, he determined to seek another land and to found a new state, where conscience should be free and every man might worship God according to his own heart, in peace and perfect security.|| It

\* Bozman. † Baneroff, Burnap, McMahon, Fuller, &c. *After Wilson* and Goodman; see Appendix N. ‡ Fuller. § Ibid. || McMahon, 193.

was a grand and noble design : and he set about perfecting it. At first he fixed his eyes on New-found-land, in the settlement of which he had been interested before his conversion ; and it was perhaps the knowledge he acquired, in that scheme, of the resources of the new world and its independence and security from the execution of the penal laws and religious persecution of the mother country, that led him to entertain his great project of colonization. Having purchased a ship, he sailed with his family to that island in which, a few years before, he had obtained a grant of a province under the name of Avalon.\* Here he only resided two years, when he found the climate and soil unsuited for the establishment of a flourishing community, and determined to seek a more genial country in the south. Accordingly in 1628, he sailed to Virginia,† with the intention of settling in the limits of that colony, or more probably to explore the uninhabited country on its borders, in order to secure a grant of it from the king. Upon his arrival within the jurisdiction of the colony, the authorities tendered him the oaths of allegiance and supremacy, to which, as then framed, no Catholic could subscribe. Lord Baltimore refused to take them, but prepared a form of an oath of allegiance which he and all his followers were willing to accept. His proposal was rejected, and being compelled to leave their waters, he explored the Chesapeake above the settlements.‡ He was pleased with the beautiful and well wooded country, which surrounded the noble inlets and indentations of the great bay ; and determined there to found his principality, assured that he had selected a territory possessing all the elements of future prosperity, fertile in soil, traversed by majestic rivers, and enjoying a climate unsurpassed elsewhere upon the continent. He returned to England to obtain a grant from Charles I. who had suc-

\* A. D. 1628, Bozman, vol. 1, p. 240.

† McMahon, 193.

‡ Bozman, vol. 1, pp. 255-258 ; McMahon, 9.

ceeded his father, James I, upon the throne. Remembering his services to his father, and perhaps moved by the intercessions of Henrietta Maria, his Catholic queen, who desired to secure an asylum abroad for the persecuted members of her church in England, Charles directed the patent to be issued. It was prepared by Lord Baltimore himself; but before it was finally executed, that truly great and good man died, and the patent was delivered to his son Cecilius, who succeeded as well to his noble designs, as to his titles and estates.

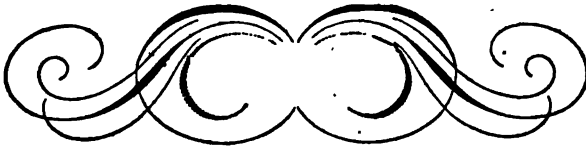
The charter was issued on the 20th of June, 1632, and the new province, in honor of Queen Henrietta Maria, was named *Terra Maria*—MARYLAND.

The charter was a solemn grant from the king to Lord Baltimore, and his heirs and assigns, of all the territory lying within the limits set forth, with extensive jurisdiction and powers of government over it. The rights of the settlers were fully provided for in this instrument, which was one of the most liberal and democratic granted in that age. The power of making laws was jointly vested in the people or their representatives, and the lord Proprietary, (the title conferred upon Lord Baltimore,) although an extraordinary power was vested in the latter, or his governor, in cases of sudden emergency, when the people or their delegates could not well be assembled. The people of the colony were for ever exempted from taxation by the crown, except by their own consent, and many other important privileges were secured to them. The ecclesiastical laws of England, so far as related to the consecration and presentation of churches and chapels, were extended to the colony, but the question of state religion was left untouched, and therefore, within the legislative power of the colonists themselves. The king only reserved to himself one-fifth of the gold and silver which might be found in the province, and the yearly tribute of two Indian arrows. Having thus

a noble territory, his rights and the prosperity of his future state secured by a liberal charter, Lord Baltimore prepared to establish his first settlement in Maryland. He fitted out two vessels, which he named "*the Ark*" and "*the Dove*," and collected a body of two hundred emigrants, nearly all of whom were Catholics and gentlemen of fortune and respectability, who desired, like himself, as had his father, to fly from the spirit of intolerance which pervaded England, and to rear up their altars in freedom in the wilderness.\* The colonists were accompanied by two Jesuit priests, Fathers Andrew White and John Altham, and were placed under the command of Leonard Calvert, whom his brother, the lord Proprietary, had appointed governor of Maryland, intending to remain in England for the present to superintend in person the interests of the settlement in its infancy, and to send out additional emigrants.†

\* Burnap; Bozman; McMahon.

† Relatio Itineris in Marylandiam.—Bozman, vol. 2, p. 26.





## CHAPTER. I.

### THE FIRST SETTLEMENT OF MARYLAND.

“ON the 22d day of November 1633, being St. Cecilia's day, the 'Ark' and the 'Dove' weighed anchor from Cowes, in the Isle of Wight.” The pious pilgrims “placed their ships under the protection of God, imploring the intercession of the Blessed Virgin, of St. Ignatius, and all the guardian angels of Maryland,”\* for the success of the great enterprize which they had undertaken. They left behind them the homes, in which they had been born, their friends and relatives, to face the dangers of the sea, and the perils and hardships of a wilderness, in order to plant the seed of freedom and religious liberty—to secure to themselves and their children the inestimable privilege of worshipping God according to the dictates of their consciences. It was a mighty undertaking; standing out, in history, as an era in the progress of mankind.

The pilgrims narrowly escaped the Needles, which are a series of breakers at the extremity of the Isle of Wight, but, relying on the protection of God, they drove boldly out to sea under a strong and steady breeze. No sooner had they escaped this peril, than the fear of capture by the Turks, whose cruizers were then a terror to all Christian nations, kept them in constant alarm for the safety of the “Dove,” which was neither so good a sailer, nor so well manned and armed as the “Ark.” After a time they were

\* *Relatio Itin.*, &c. Father White's manuscript is the authority for this whole chapter.

joined by a London merchantman, "*the Dragon*," well armed, and bound for Angola, and, thus being relieved by the strength of their fleet from all fear of danger, they continued their voyage in high spirits, "making the air and sky resound with the clangor of trumpets."

On the evening of the 25th of November, the wind veered round to the north, and a violent storm arose. The crew of the *Dragon*, fearing to encounter all its fury, changed their course and steered for England, while the company on board the *Dove*, dreading the effect of the furious tempest upon their little bark, yet unwilling to abandon the enterprize, notified the officers of the larger vessel that if they were in danger of shipwreck, they would hang out a light from the mast head. The captain of the *Ark*, knowing the strength of his vessel, bore steadily on his course. In the middle of the night, the storm increased in violence, and the crew of the larger vessel beheld with dismay two lights suspended from the mast head of the pinnace. But they were unable to afford their comrades any assistance; and, in a few moments, these lights disappeared, and with sorrowful hearts they gave up the little *Dove*, and her gallant crew, as lost. When morning, at length, broke over that long and dreary night, there was no sign or vestige of the *Dove* upon the waters. The storm still raged on with somewhat diminished fury, and during the three succeeding days, Tuesday, Wednesday and Thursday, the *Ark* was tossed about by contrary winds, making little headway. At length, on the night of the third day, the rain began to descend in torrents, and a sudden blast of the tempest split the mainsail from top to bottom. The vessel, having unshipped her rudder, was driven about at the mercy of the waves. The minds of the bravest were filled with fear, for the *Ark* seemed about to be engulfed in the raging billows. The pilgrims betook themselves to prayer; and many strove, by the sacrament of penance, to prepare them-

selves to meet the fate which now seemed inevitable. Before their prayers had ended, the violence of the storm began to abate. At length the sea became calm, and the remainder of the voyage, which extended through a period of three months, was pleasant and prosperous.\*

After passing the Madeira islands, the pilgrims were alarmed by the appearance of three suspicious looking vessels, bearing down towards them. The captain immediately cleared his ship for action, but the supposed pirates soon changed their course and disappeared. They continued on their voyage, and touched at the Fortunate, or as they are now called, the Canary islands; and, here, the governor consulted with the principal officers and gentlemen, upon the best mode of loading the ship with a return cargo, so as to repay part of the expenses of the expedition which had been borne entirely by Lord Baltimore. At first, they determined to steer for St. Christopher's, then changed their destination towards Bonavista, one of the Cape de Verd islands, and a great mart for salt; but after sailing two hundred miles, fearing their provisions would fall short, they altered their course for Barbadoes, where they arrived on the 5th of January, 1634, O. S. Their reception was cold and inhospitable, and the people demanded extravagant prices for the provisions which they desired to purchase. They now learned that a Spanish fleet was lying at Bonavista, and that, had they persisted in their original intention, their capture would have been certain. At Barbadoes, too, a conspiracy had just been discovered amongst the slaves, to massacre their masters, and to seize the first ship which should touch at the island. Theirs being the first, would have fallen a sacrifice but for the timely discovery of this iniquitous plot. Thus twice did heaven protect the little colony and preserve the destinies of Maryland.

There was yet one dark cloud hanging over their pros-

\* *Narratio Itineris, &c.*

perity—the disappearance of the pinnace and her crew. Imagine, then, their joy, as she bore in sight and joined company again, after a separation of six weeks. On the night of the terrific storm which parted them, the *Dove*, after having shown her signal, no longer able to breast the storm, had changed her course and taken refuge in the Scilly islands, whence, the ship *Dragon* bearing her company as far as the Bay of Biscay, she sailed in pursuit of the *Ark*, and at length overtook her at the Antilles.

On the night of the 24th of January they weighed anchor and departed from Barbadoes. The next day they passed St. Lucia, and in the evening arrived at Matalina, where they saw several canoes of cannibals, who had lately eaten some English interpreters. The day after, they reached Montserrat, an island settled and inhabited by the Catholic Irish who had been driven from Virginia. They were kindly entertained at St. Christopher's by the governor and two Catholic captains, and were also treated with great hospitality by the governor of the French colony in the same island. At length, on the 5th of February, they came in sight of Point Comfort in Virginia. They were now approaching the termination of their wanderings. Yet this joyful prospect was somewhat clouded by the fear of hostility, on the part of the Virginians, who were resolutely opposed to Lord Baltimore's design; but the royal letters, which they bore with them, secured them a favorable reception from the governor, and, after spending eight or nine days in that colony, they again set sail on the 3d of March, steering for the mouth of the Potomac, to which they gave the name of St. Gregory. They had now arrived in the land of their adoption, and they were delighted with the wide expanse of the noble bay, and the majestic river, upon whose shores they were about to rear up an empire. On the banks of the Potomac, they found mighty forests, stretching as far as the eye could reach; a

soil, rich and fertile—the air, sweet and balmy, although it was now in the month of March; and they returned thanks to God for the beautiful land which he had given them—for this was MARYLAND!

On the beach, they beheld groups of armed natives, prepared to resist their landing, during the day; and at night they saw innumerable alarm fires kindled throughout the country to assemble the savage tribes, while messengers passed from one to the other far into the interior, carrying the strange tidings “that canoes, as big as an island, had brought as many men as there were trees in the forest.” In spite of all these demonstrations of hostility, they succeeded in establishing confidence in the breasts of the natives; and having satisfied them that their intentions were peaceful, at length, purchased from them the territory which they required. Maryland was almost the only state whose early settlement was not stained with the blood of the unfortunate natives.

The ships now approached the Heron islands, <sup>The Landing.</sup> on one of which, St. Clement's,\* the colonists determined to land, and, although the island was too small for a settlement, to build a strong fort for their protection in case of any outbreak. On the feast of “the Annunciation of the Blessed Virgin” being the 25th of March, in the year 1634, they took solemn possession of Maryland; and offered up the holy sacrifice for the first time within its borders. After mass was ended, the pilgrims formed in procession, led on by the governor, Leonard Calvert—the secretary, and the other officers—carrying on their shoulders a huge cross, hewn from a tree, and erected it upon the island, humbly bending the knee during the devout recitation of “the Litany of the Holy Cross.” Under these auspices was begun the founding of Maryland.

The chief of Piscataway was the most powerful in that

\* Now Blackstone's Island—according to B. U. Campbell, Esq.

region, and had many sachems and tribes subject to him. The governor, Leonard Calvert, therefore determined to visit him and secure his friendship. Taking with him the Dove and another small pinnace, which he had purchased in Virginia, he set out with a portion of his men, accompanied by Father Altham, leaving the ship at anchor at St. Clement's. As they advanced up the river, the Indians fled towards the interior. At length they reached a village, on the Virginia side, named Potomac, after the river, and governed by Archihu, uncle of the king who was yet a youth. Father Altham preached to the people and their chiefs. They listened with attention, and replied to him through his interpreter. The good Father told them, that the pale faces had come neither to make war upon them nor to do them any wrong, but to instruct them in Christianity, to make them acquainted with the arts of civilized life, and to live with them like brothers. "You are welcome," replied the chief. Then Father Altham informed him, that, as he had not the time to enter upon further discourse, he would return to visit him again. "It is good," said Archihu, "we will use one table—my people shall hunt for my brother, and all things shall be in common between us."

Having parted with this hospitable chief, Leonard Calvert ascended to Piscataway, where he found the natives armed, and assembled upon the shore, to the number of five hundred, ready to dispute his landing. By means of signs, he contrived to make them understand that he came for peace and not for war, and at length, the chief or emperor ventured on board the pinnace. Satisfied of the peaceful intentions of the pilgrims, and pleased to have such skilful and powerful people for his allies, the chief granted them permission to settle within his territories.

In the mean while, the savages about St. Clement's soon became more familiar with the colonists, who were now

busily engaged in putting together a brigantine; the planks and timbers of which they had brought out from England. "It was amusing," says Father White, "to hear them examining every thing. In the first place, 'where in the world did so large a tree grow, from which so huge a ship could be hewn?' for they conceived it was cut from the single trunk of a tree, after the manner of a canoe. Our larger cannon struck them with amazement; as they were louder than the twanging of their bows, and equal to thunder."

<sup>Founding of</sup>  
<sup>St. Mary's.</sup> The governor had brought with him, from Virginia, Captain Henry Fleet,\* who was well acquainted with the Indian tribes and spoke their language. This man now directed them to a spot very suitable for the site of a town, and, weighing anchor, the whole colony sailed from St. Clement's. They entered the mouth of the St. Mary's river, on the left bank of which was the village of King Yaocomicó. On the right shore, about a thousand paces from the river, they selected a site, and having purchased from the Indians, in exchange for hatchets, axes, hoes and cloth, about thirty miles of territory, which they called "Augusta Caroline," now the county of St. Mary's, they landed in great solemnity and began the founding of the city of St. Mary's.

The men on shore were drawn out in military array, firing salutes in honor of the occasion, while salvos of artillery, from the ships, filled the hearts of the savages with wonder and dismay. With great pomp and ceremony, the pilgrims then took possession of the soil, which they had purchased from the native owners. This important event took place on the 27th of March, 1634,† and may be considered as the date of the actual settlement of the state: although, it would seem, from the solemnities on

\* The author of the "Relation" says Governor Calvert found him at Piscataway.

† Bozman, vol. 2, p. 80.

the island of St. Clement, that the pilgrims intended on that day, being the feast of the Annunciation, to take formal possession of the province of Maryland. In every other colony along the Atlantic, men, who had, perhaps, fled from persecution, reared up a persecuting altar or an exclusive franchise: around the rough hewn cross, on the island of St. Clement, gathered the Catholic and the Protestant, hand in hand, friends and brothers, equal in civil rights, and secure alike in the free and full enjoyment of either creed. It was a day, whose memory should make the Maryland heart bound with pride and pleasure.

Although the colonists had used every means to conciliate the Indians, they were aware of the danger of relying too implicitly on their variable natures, and their first work was to erect a guard house and store house. For the present, the settlers found refuge in the rude huts of the Indians, who the more readily received them and sold them their villages and corn grounds, and their other territory, because, in order to escape the incursion of the Susquehannahs, they had determined to remove their habitations to another region secure from their terrible enemy. Providence had prepared the way for the pilgrims, as Father White piously says, and the Indians began already to depart, giving up to them, as they went, their huts and cultivated fields. The colonists had brought a large supply of provisions with them from England; at Barbadoes they had increased their stores, and they were now put in possession of arable land just in season to plant their corn for the coming crop. They immediately set about this necessary work, and in the fall ensuing, gathered so plentiful a crop that they were enabled, after providing for their own subsistence, to send ten thousand bushels to New England in exchange for salt fish and other provisions.\*

\* Bozman, vol. 2, p. 82. The author of "A Relation of Maryland," says, they bought so much corn from the Indians, that they sent 1,000



Besides, the woods abounded with game which the Indians taught them how to hunt, and the rivers and bay were full of fish and oysters. God had indeed bestowed upon the pilgrim fathers of Maryland a beautiful land, flowing with milk and honey, and had surrounded their path with blessings and promises of future prosperity and happiness.

The Indians of St. Mary's. The huts of the Indians were of an oblong, oval form, nine or ten feet high, lighted by a hole in the roof, which also served as a vent for the smoke. They made their fire in the centre, and slept around it at night. The tents of the chiefs were larger and contained several apartments; and were supplied with beds, made by poles laid across four stakes, which were driven in the ground—the whole covered with leaves or skins. One of these huts was given to Fathers White and Altham, and was fitted up by them to serve as the first church in Maryland. The Indians of the neighborhood were tall and comely, but disfigured themselves with paint. Their dress was a mantle of deer or other skins, falling from the shoulder, and an apron about the waist; around their necks, they wore strings of beads, and upon their foreheads, the figure of a fish worked in copper. Their hair was gathered into one lock, tied with a fillet and ornamented with feathers. Their weapons were bows, and arrows barbed with horn or sharpened pieces of flint stone—heavy clubs of knotted

bushels of it to New England. Winthrop says, that the "Dove," a pinnace of fifty tons from Maryland, brought corn to trade with the people of Plymouth colony, with letters from the governor and the commissioners of Maryland, proposing to open trade between the colonies. It seems that quarrels broke out, between the crew of the Dove and the Puritans, and "the merchant" of the Dove (who afterwards died before the pinnace left Plymouth) was taken into custody to secure the appearance of the sailors, who were charged with profanity, &c., and summoned by the governor, on the advice of the ministers, to answer these accusations. The proof against them, however, was insufficient, and they were discharged, with a reprimand to their captain.

wood hardened in the fire, spears pointed with flint stone heads, and stone axes with hickory branches twisted round them for handles. These spear and arrow heads, and axes, were worked smooth and to a sharp edge, and sometimes polished like marble. They were very skilful in the use of their arms, and the bow and arrow were in their hands no mean weapons. Their principal food was Indian corn, which they prepared in several ways—*homini* and *pone*—when the corn was ripe—and *sucotash* and roasted ears when young and tender. Each of these modes the colonists borrowed from them with some little improvements—their *pone* consisted only of crushed corn mixed with water, and baked in cakes, upon flat stones, in the fire. To these preparations they added fish, game and oysters—besides they had in proper season, strawberries in immense quantities and nuts of every kind. Thus they lived in the midst of a simple abundance. They were of a noble disposition, grave, yet cheerful and kind; generous with what they possessed; frugal, avoiding intoxicating drinks; chaste in their lives—considerate in forming resolutions, but firm in maintaining them when formed.

They worshipped one God—but they also paid homage to the evil spirit whom they called *Okee*, and sought by sacrifices to win his favor. Corn and fire were adored as deities in the following manner. The people gathered from the different villages, at the temple of *Barcluxor*, and formed a circle round a great fire, the younger persons in the inner row. They then cast a piece of deer's fat into the flame and, with uplifted hands, cried "*Taho! Taho!*" after this they cleared a space, and a bag, containing a pipe and a powder called "*Potu*,"\* was produced. This bag was carried round the fire, the boys and girls singing in the meanwhile "*Taho! Taho!*" The pipe and powder were then taken out and each one smoked a short time, breath-

\* Tobacco?

ing the vapor over his limbs to sanctify them. Father White says they seemed to have some faint tradition of the flood.

Such were the peaceful and gentle Indians, who welcomed the early settlers of Maryland into their midst; alike conferring and receiving favors. For if they sold the pilgrims their territory, taught them how to hunt the deer, to plant maize and prepare it for the table, and shared their huts and their daily food with their white brethren; the colonists explained to them the arts of civilized life, their priests unfolded to them the inestimable privileges of Christianity, and instructed and received many of them into the fold of Christ.\*

\* The above account is taken principally from Father White's Journal, found in Rome by the Rev. Wm. McSherry, S. J., a manuscript copy of which was kindly furnished me from Georgetown College. The author of "A Relation" differs from Father White in some particulars: his account is sufficiently interesting, to be inserted here somewhat at large. He says, they sailed from Point Comfort, in Virginia, on the 3d of March, 1634, and two days after reached the Potomac, twenty-four leagues from Point Comfort; and then sailed fourteen leagues up the river, "and came to anchor under an island, which they called St. Clement's." Possibly, then, the Maryland Pilgrims first landed in their future home on the 6th of March, 1634.

After describing the governor's visit to Piscataway, the author proceeds:—"While the governor was abroad, the neighboring Indians, where the ships lay, began to cast off fear, and to come to their court of guard, which they kept night and day upon St. Clement's isle, partly to defend their barge, which was brought in pieces out of England, and there made up, and partly to defend their men, which were employed in felling trees and cleaving pales for a palizado;—and at last they ventured to come aboard the ship. The governor finding it not fit for many reasons to seat himself as yet so high up the river, resolved to return back again and take a more exact view of the lower parts;—so, leaving the ship and pinnaces there, he took his barge, (as most fit to search the creeks and small rivers) and was conducted by Capt. Henry Fleett, who knew well the country, to a river on the north side of Potomac river, within four or five leagues of the mouth thereof, which they called St. George's river. They went up this river about four leagues, and anchored at the town of Yaocomico—from whence the Indians of the country are called Yaocomicos. At their coming to this place, the governor went on shore, and treated friendly with the Werowance there,

and acquainted him with the intent of his coming thither, to which he made little answer, (as it is their manner to any new and sudden question) but entertained him and his company, that night, in his house, and gave him his own bed to lie on (which is a mat laid on boards) and the next day went to show him the country; and that day being spent in viewing the places about that towne, and the fresh waters, which there are very plentiful and excellent good (but the main rivers are salt) the governor determined to make the first colony there, and so gave orders for the ship and pinnaces to come thither.

"To make his entry peaceable and just, he thought fit to present the Werowance and the Wizoos of the towne, with some English cloth, (such as is used in trade with the Indians) axes, houes, [hoes] and knives, which they accepted very kindly, and freely gave consent that he and his company should dwell in one part of their towne, and reserved the other for themselves; and those Indians that dwelt in that part of the towne which was allotted to the English, freely left them their houses and some corne that they had begun to plant. It was also agreed between them, that, at the end of harvest, they should leave the whole towne, which they did accordingly. And they made mutual promises to each other to live friendly and peaceably together, and if any injury should happen to be done on any part, that satisfaction should be made for the same; and thus upon the 27th day of March, Anno Domini 1634, the governor took possession of the place and named the towne St. Maries.

"Three days after their coming to Yaocomico the Arke with the two pinnaces arrived there. The Indians much wondered to see such ships and at the thundering of the ordnance when they came to anchor. The next day they began to prepare for their houses, and first of all a court of guard, and a store house; in the mean time they laid aboard the ships." [Then follows governor Harvy's visit, as related in the text.]

"After they had finished the store house and unladed the ship, the governor thought fit to bring the colony on shore, which were attended by all the gentlemen and the rest of the servants in armes—who received the colony with a volley of shot, which was answered by the ordnance from the ship. At this ceremony were present the Werowances of Patuxent and Yaocomico with many other Indians."

(They buy one thousand bushels of corn and send to New England.)

"Finding ground cleared they planted corne although late in the year, and made gardens which they sowed with English seeds of all sorts and they prospered exceeding well.

"They procured from Virginia, hogges, poultry, cowes and some neat cattle. The hogges and poultry are already (1635) increased in Maryland, to a great stock, sufficient to serve the colony very plentifully."

## CHAPTER II.

**S**HORTLY after the new settlement had been planted at St. Mary's, it was visited by governor Harvey, of Virginia. Governor Calvert received him with great ceremony; and, for the purpose of conciliating the neighboring chiefs, gave him a banquet on board his ship, to which he also invited them. The king of Patuxent was particularly friendly to the whites, and to do him honor, he was seated between the two governors at table. An Indian, one of his subjects, coming into the cabin of the ship, and perceiving his prince thus seated, was seized with the suspicion that some evil design was meditated against him; nothing but the repeated assurances of the chief himself could prevent him from leaping overboard to carry the alarm to shore, which might have been productive of the most fatal consequences. However, when the feast was over and the king about to depart, he addressed the surrounding Indians and said: "I love the English so well, that if they should go about to kill me, and I had so much breath as to speak. I would command the people not to avenge my death; for I know they would do no such thing, except it were through my own fault."\*

Nothing could prove more plainly than this little incident, how firmly knit was the friendship between the two races, and how different was the conduct of the settlers of Maryland, towards the natives, from that which characterized the people of many other colonies. These kindly feelings were much strengthened by the labors of the missionaries, who immediately began to teach and instruct

\* 2 Bozman, 31.

the Indians. Meanwhile the settlement continued to prosper—the works had been laid aside for the more pressing occupation of planting corn, when suddenly a coolness became observable on the part of the natives in their immediate vicinity. It was the beginning of Claiborne's first rebellion.

Claiborne's  
first rebellion.

Prior to the issuing of the charter, Maryland being included in the limits of the royal government of Virginia, Captain William Claiborne had obtained from the governor and council of that province, a license to trade with the Indians on the Chesapeake. He accordingly established a trading post upon Kent island, and some time after, another at the mouth of the Susquehannah. Perhaps he had entertained a hope of enlarging his temporary occupation, and of securing a grant of it as proprietor; at all events, the charter to Lord Baltimore would destroy his trade, and he determined to resist it. No sooner had the settlers landed at St. Mary's, than Claiborne, having received notice from Governor Calvert, that if he remained he would be deemed a subject of the colony, applied to the council of Virginia, of which he was a member, for instructions how to proceed.\* This body, which had always opposed the grant to Lord Baltimore, and was secretly determined to support the claims of Claiborne, replied, that they saw no reason why he should give up any territories which he held of them; and taking this for his pretext, he prepared to maintain his possessions. His first effort was to destroy the colony by means of the hostility of the Indians. For this purpose he began to insinuate suspicions into their minds, through the instrumentality of Fleet, the interpreter, whom he had seduced into his schemes—telling them that the Maryland settlers were Spaniards, and his and their secret enemies.† Scarcely had the colony been planted a month at St.

\* Boz. 27–32, &c.

† Ibid. 32.

Mary's, when these insidious measures produced their effect in the jealousy which appeared in the conduct of the natives. Immediately, all other works were suspended; and the settlers turned their whole attention to finishing a block house for their protection, in case of necessity, at the same time, carefully regulating their conduct to the savages so as to dissipate their coldness and reawaken the old feelings of confidence and intimacy between them. In six weeks the block house was completed. But in the mean while, their unchanging friendliness to the Indians had convinced them of the sincerity of their conduct and the falsehood of the insinuations against them, and they gradually renewed the kindly relations which had formerly existed, and which were never again broken through. The colonists once more returned to the work of building up their new city, and devoted the time, from the finishing of their block house to the ripening and gathering of their corn, in erecting houses, to replace the temporary huts of the Indians which they yet occupied.

Claiborne, foiled in his first attempt, became desperate, and resolved on open measures of hostility. His schemes were so far perfected, that early in the year of 1635, he fitted out an armed pinnace, with a crew of fourteen men under one of his adherents, Lieutenant Warren, to cruize against the colonists. Governor Calvert and his people met the crisis without hesitation, and two pinnaces were immediately armed and manned, and sent against the freebooters under the command of Captain Cornwallis. They came within sight of Warren's galley in the river Pocomoke, on the Eastern shore, and prepared for action, awaiting however the fire of the enemy. As they neared, the insurgents opened their fire upon them and killed one of their men. But it was immediately returned with great effect—the galley was captured with the loss of three of her crew, one of whom was her commander, Lieutenant

Warren himself. The survivors were carried prisoners to St. Mary's. Claiborne, who was not in the engagement, finding his armament destroyed, fled into Virginia, where he expected to find protection from those who had secretly supported him. But, determined to vindicate his authority and establish the rights of his brother, the lord Proprietary, Governor Calvert despatched commissioners to Virginia to demand his person as a rebel and a traitor. His friends could only aid him so far as to have him sent to England by the governor, with the witnesses against him, that he might be tried there for the offence he had committed.\*

Under the charter, the power of legislation was vested in Lord Baltimore and a majority of First General Assembly. the colonists or their deputies, who were to be assembled by the governor. Accordingly, in the beginning of the year 1635, the freemen of the colony were convened together at St. Mary's. Of their proceedings there is little known, as the greater portion of the public records were subsequently destroyed. But it may be presumed that as yet they were more busily engaged in perfecting and strengthening their town of St. Mary's than with legislative cares.

The Indians, in compliance with the conditions of their sale to the settlers, had as soon as Conditions of Plantation. their own crop of corn was gathered, departed from the town, and delivered it up entirely to the whites; who, for the present, beset as they were by the intrigues of Claiborne, and fearful of trusting too implicitly to the faith of their allies, restricted their settlements to its immediate vicinity. Within the city, lots of five and ten acres were granted to all who might apply for them, and tracts, in the interior, ranging from one hundred to three thousand acres, in proportion to the number of settlers the person applying for them introduced into the colony: reserving thereon, however, a quit rent of twenty shillings for every



thousand acres.\* By these means, men of wealth and standing were induced to assist the growth of the province by bringing numerous emigrants from the mother country.

Lord Baltimore still remained in England, superintending the interests of the colony and fostering emigration, when he received notice that the assembly of the freemen had passed certain laws which were sent to him for his approval. Believing that the right of framing laws was vested in himself by the charter, he rejected them; and set about preparing a complete system for the government of the province, at the same time directing the assembly to be called together on the 25th of January 1638, to have his dissent announced to them.† In the meanwhile, the inhabitants of Kent Island, to a certain extent, had submitted to the government of Maryland, and early in 1637 a court was established there, in the name of the province, for the trial of civil and criminal causes. In December following, the better to secure its tranquillity, Captain George Evelin was appointed commander of the island. Many of the factious adherents of Claiborne still looked forward to a successful establishment of his pretensions, and continued to excite a resistance to the processes and warrants of the civil courts. This spirit of opposition at length grew to such a height, that governor Calvert himself was compelled, in the following year, to make an expedition to the island at the head of a military force, to bring it to complete subjec-

\* The first conditions were, in 1633, for every five persons between the ages of fifteen and sixty, two thousand acres of land, at a rent of four hundred pounds of wheat:—for less than five persons, at the rate of one hundred acres for each man, one hundred for his wife and each servant, and fifty acres for each child under sixteen, at a rent of ten pounds of wheat for every fifty acres. In 1635, for every five men brought in, a grant was made of one thousand acres, at a rent of twenty shillings. Grants of one, two, and three thousand acres were erected into manors, with the right, to their owners, of holding courts leet and courts baron.

† Bozman, Bacon.

tion to his authority.\* In the settlement at St. Mary's, the plantations had already extended to the west side of St. George's river, and, there being large accessions of emigrants in this year from the mother country, it was found necessary to erect a new hundred, a division similar to our election districts.

Early in 1638, the Assembly, directed to be Second General Assembly. convened by Lord Baltimore, was summoned by the governor, and met at the little capital of St. Mary's. The constitution of these early legislatures was so different from those of the present day as to require a more particular notice. By the charter, every free man was entitled to share in making the laws which were to govern him, either in person or by his deputy. In the youth of the colony, when the inhabitants were still few in number, and could be easily assembled, the whole body of freemen were required to attend, and those who found it inconvenient to be present, were permitted to cast their votes by proxy. Thus in the present assembly, its secretary, Mr. Lewger, held and voted twelve proxies. But as in a new country, with savage neighbors, where a man's presence at his plantation was always necessary, it would be sometimes difficult to get a full assemblage, the governor was invested with the power of summoning, by special writ, those whose presence he particularly desired. As every one, at that period, possessed the right of being present, this summons must have been simply obligatory in its nature, and intended to compel the attendance of those who were especially qualified to advise and assist as legislators, and yet were unwilling to perform the onerous duty required of them. To suppose the power was aristocratical, and originally intended to secure the governor the control of the house, is absurd; as no matter how many of his adherents he might call together, every other free man in the colony

\* Burnap's Life of Calvert—112; Boz. 44.

could claim and take his seat in the house with equal powers and privileges. Subsequently, when the number of hundreds increased, two burgesses were elected from each: yet, even then, any one who had not voted at their election might come forward and claim a seat in the legislature. At a still later period, this right was taken away by the general assembly itself, and, then, this body was composed of the delegates from the several hundreds, the council, and those who might be summoned by special writ. With this strange power in his hands, a governor could at any moment obtain the control of a house thus constituted and limited, by adding to it a sufficient number of his own friends. At first there was but one house—the governor's council and the delegates sitting together—but in process of time they were divided into the upper and lower houses; the council appointed by the lord Proprietary forming the upper, and the delegates of the people the lower.

The legislature which now assembled, composed of the people themselves, secured some of the most important rights of the colonists; and began to lay upon the groundwork of the charter the foundation of the liberties of Maryland.

Lord Baltimore now caused the system of laws which he had digested, to be presented to them in place of those passed by the legislature of 1635, which he had negatived because they were not framed by himself. But the people fully convinced that the initiative was in them, and that the charter only intended to confer upon the Proprietary a veto power, vindicated their rights by immediately rejecting the whole system, and set about framing such bills as they thought proper for their situation. The controversy which arose on this point, was not of long duration. After having vetoed the forty-one bills adopted at this long session, and insisted for a time upon his claim, the lord Proprietary

determined to abandon it; preferring the welfare and prosperity of the colony, which must suffer from want of laws during the existence of the controversy, to his own individual privileges, and sensible that the power of negating any bill of which he disapproved, was quite sufficient to protect his rights and authority in the province.\*

The insurgents, captured in the engagement with Lieut. Warren by Captain Cornwallis, had not yet been tried, for, hitherto, there had been no competent tribunal in the colony. Now, however, Thomas Smith, the second in command to Warren, in his piratical and rebellious expedition, was brought to trial for the murder of William Ashmore, who had been killed by the fire of the pinnace at the opening of the skirmish.† After a full examination of the testimony, he was found guilty and sentenced to death, though it is not certain that he was executed. Claiborne, the leader of the rebellion, was attainted and his property confiscated, to the use of the province. These proceedings were, probably, the cause of the renewed disturbances in Kent, which required the governor's presence in that island, as has already been related. The house adjourned from time to time, until his return from the expedition in the month of March.

Claiborne himself was still in England, and as active in his hostility as ever. Secret intrigue and open violence had failed in the new world, and now he endeavored to reach his object through the known avarice and unscrupulousness of the royal court. It would seem that he was never brought to trial for his rebellion; for, he boldly laid claim to the Isle of Kent and its dependencies, and charged the Proprietary's officers with having violently assailed his pinnaces and slaughtered his men. He presented a petition to the king setting forth his supposed grievances, and offering to pay to the crown the yearly

\* Bozman, vol. 2, p. 92.

† Bozman, vol. 2, p. 64.

rent of two hundred pounds sterling for the grant of the Isle of Kent, his station at the mouth of the Susquehannah, and thirty-six miles width of territory, on each side of that river, from the bay to the Canada lakes, which would have proved a very large and valuable territory. The matter was referred to the lords commissioners of the council for the plantations, who reported after a full investigation, that "the lands in question (between Claiborne and the Proprietary) belonged absolutely to Lord Baltimore, and that no trade with the Indians could be carried on there without his consent; and that, with regard to the violences complained of, no cause for any relief appeared, but that both parties should be left to the ordinary course of justice."\* Thus again baffled, Claiborne returned to Virginia to carry on his old schemes of annoyance: but the legislature of that colony interfered and compelled him to desist. Then, assuming the position of a suppliant, he despatched an agent to Maryland praying the restoration of his property which had been confiscated by the government. His prayer was rejected: and, despairing of success, he abandoned his efforts until a more favorable period should arrive.†

The Missionaries among the Indians. During the first four years of the settlement, the colony was circumscribed within narrow limits, although the Indians in the immediate vicinity persevered in their friendly relations with the whites. To these natives alone, therefore, the labors of the two missionaries, were devoted in part; for their presence was also required in the settlements, and the governor, doubtful of the disposition of the savages in the interior, had forbidden them to penetrate thither, lest, by their loss, the people should be deprived of the consolation of their services. But as the colony continued to increase, new missionaries arrived from England and the seminary of Douay, and the restriction was removed. Immediately, these zealous men

\* Bozman, vol. 2, p. 72, &c.

† Burnap, 115

began to press into the interior, and to visit every tribe and village.\* The Indians of Patuxent received them most favorably, and bestowed upon them a plantation, called Mettapaunien, or "St. Mattapany," on the river Patuxent, where a missionary station and store house were at once established to serve as the starting point for their labors in the wilderness. They usually travelled by water. In a small pinnace or barge, a priest, accompanied by a lay brother and an interpreter, embarked with a little store of provisions, carrying with him the sacred utensils, a table for an altar, a few bottles of wine for the eucharistic sacrifice, and of holy water for baptism. When the wind failed, two of them labored at the oar, while the third steered the boat. At evening, when they landed, the missionary drew the barge ashore, collected dry sticks and wood, and kindled a fire, while his companions were hunting game in the forest for their frugal repast. At night, they slept upon the shore, under cover of a little tent: if it rained, they built themselves a rude hut, wrapped themselves in their blankets, and, confiding themselves to God, slumbered as sweetly and securely as if surrounded by the luxuries of a palace.

It was impossible that such zeal and energy should not produce abundant fruits. In five years from the date of the settlement, they had extended themselves throughout a large portion of the province; they had visited many tribes and made numerous converts; they possessed four permanent stations, the most distant of which was one hundred and twenty miles from St. Mary's, the seat of the colony—one at the settlement, one at Mattapany, one at Kent island, and one at Kittamaquindi, the capital of Tayac. They were the pioneers of the colonists; and, thus having possession of the shores of the great bay, and command of its rivers, they penetrated from these stations, in

\* See Missionary letters in Burnap, and B. U. Campbell's *Early Missions of Maryland* *passim*.

every direction, to the tribes of the interior, preaching Christianity to the savage, and by their gentle influence maintaining the peace and quiet of the settlements more firmly and securely, than could have done the whole militia of the province. But of their works the most important, in its results, was the baptism of Tayac.

Baptism of Tayac. The Piscataways, or Pascataways,\* as they are called in Father White's Journal, were the most extensive and powerful tribe in Maryland. Their domain was bounded, on one side, by the region of the Patuxents, and, on the other, by the country of the Susquehannas, and covered a territory one hundred and thirty miles in extent, perhaps including the fairest and richest portion of Maryland. The chief of these Indians was called Tayac, a title of honor and station; his name was Clitomachen. He had obtained his power in the tribe by putting his brother, the former chief, to death. The mode of his conversion was singular. The king of the Patuxents, who had professed so much affection for the English, and had listened with great docility to the missionaries, suddenly changed his whole demeanor, and became cold and indifferent towards them. Fearing treachery on the part of the chief, Father White, by the advice of the governor, withdrew from St. Mattapany and removed to the Piscataways, where he was received with great kindness. The chief soon became attached to him, and made him reside in his rude and simple palace, while the queen prepared his food with her own hands. Tayac—so he informed Father White—had

\* The precise situation of these people is disputed. Burnap supposes they were the Patapsco tribe, and that Kittamaquindi, their capital, was near the present site of Baltimore. B. U. Campbell, Esq., thinks, and with more probability, that they were the Piscataways—and that Kittamaquindi was situated about fifteen miles below the present city of Washington. See Burnap's *Life of Leonard Calvert*, 87-8, and Campbell's *Memoir on the Early Missions of Maryland*, in the proceedings of the Maryland Hist. Society, 8th Jan. 1846.

been warned in dreams of the approach of missionaries, who loved him and his people, and would confer great blessings upon them.

Shortly after the arrival of Father White, the Indian chief fell sick, and forty conjurors, or medicine men, in vain tried every remedy within their power: when the missionary, by permission of the sick chief himself, administered some medicine to him, and caused him to be bled. The treatment of the priestly physician was skilful and judicious; the invalid began to recover, and was soon restored to perfect health. Then he determined to be baptized together with his wife and daughter, and was carefully and diligently instructed by Father White, in order that he might be prepared to receive that holy sacrament with proper dispositions. He laid aside the dress of skins, which he had heretofore worn, assumed that of the English, and commenced to learn their language. He delighted in religious conversation; and when the governor once dilated to him on the great advantages his people would derive from the trade of the settlers, he replied:—"Verily, I consider these as trifling, when compared with this one benefit, that, by their aid, I have arrived at the true knowledge of the *one* God, the most important of all knowledge."

Being convinced himself, he sought to bring his people to the same faith. In an assembly of the chiefs of his empire, he told them, "that the superstitions, which they had formerly believed, ought to be abolished and Christianity adopted; that there was hope only in one true God, and that stones and herbs, which they had heretofore worshipped, were merely the humblest of his works." Then, placing a stone upon his foot, he tossed it to a great distance, thus showing his contempt for that, which he had before received as a deity. The people, already prepared by the preaching of the missionary, loudly applauded the speech and action of the king; and thenceforth the idols



began to fall into disrepute. The good dispositions of Tayao were strengthened by a visit which he made to St. Mary's, in company with Father White. He was much impressed by the conduct of an Indian, who was executed there for murder. The missionaries endeavored to prepare the criminal to meet his fate, and Tayac himself acted as their interpreter. The Indian was baptized—and suffered with such calmness and resignation—unlike the mere stoicism of the warrior—that the king, moved by the spectacle, desired immediate baptism. But, in order that the ceremony might be performed with becoming preparation, it was deferred for a time.

On the fifth of July, 1640 (O. S.), in a chapel, built on bark for the occasion, at his capital of Kittamaquindi, in the presence of the governor, Leonard Calvert, the secretary, Mr. Lewger, and many other of the principal inhabitants of the province, with great pomp and display, Tayac, his queen, their little child—a son—and many of the chief men of his council, were solemnly admitted into the Catholic church, by the regenerating waters of baptism. The king assumed the name of Charles, in honor of the English sovereign; his queen that of Mary. The other neophytes also received Christian names. In the afternoon, the king and queen were married according to the rites of the church; and then a cross of great size was borne by the king, the governor, the secretary, and others, in procession, while two priests preceded them, chanting the Litany of the Virgin, to a place prepared for its reception, where it was erected with great ceremony, in commemoration of the important events which had just taken place. Tayac soon after sent his daughter to St. Mary's to receive a polished and Christian education, and one of his chiefs followed his example.

Much was hoped from the conversion of Tayac, but, in less than a year, he died most piously, in the practice of

the religion he had so solemnly adopted. His young daughter, now become queen of the Piscataways, was not long after baptized at St. Mary's, having already learned the English language. The example of Tayac and his family was followed by many other natives. The inhabitants of the town of Potopaco, now Port Tobacco, to the number of one hundred and thirty, together with their queen, were baptized—the chiefs and principal men of Potomack town, on the Virginia shore, and the chiefs of several neighboring villages were converted. While Anacoston, sachem of a tribe adjoining the Piscataways, became so firmly attached to the whites, that he wished to take up his residence among them, as a citizen of the colony. The missionaries, who effected so much good, were Father Andrew White, who has been called the apostle of Maryland, Fathers John Altham, who died at St. Mary's, soon after the baptism of Tayac, John Brock, and Thomas Copley. Others soon followed to extend the missions, and supply the place of those, who sunk under the exposure and fatigue of their laborious duties.\*

Thus guarded and protected by a circle of Christian Indians, bound to them by the ties of gratitude and religion, it is not surprising that the pilgrims of Maryland suffered but little from the hostility of the natives—yet even they were disturbed by a few troubles, which were dignified by the title of the Indian wars.

It was natural that a feeling of jealousy should Indian War. spring up in the breasts of the natives, as they beheld the rapid increase of the colonists, and the extension of their settlements, swallowing up their hunting grounds and occupying the graves of their forefathers. Yet no cause of offence was given them, by the colonists, and their affection for the missionaries suppressed every feeling of discontent in the minds of the Christian Indians.

\* B. U. Campbell's *Early Missions*, &c.

The Susquehannahs<sup>\*</sup> were the most hostile and warlike of the tribes of Maryland, but their country lay far north and west of the settlements, while, between, stretched the land of the friendly Tayac. The Nanticokes, who also appeared inimical to the whites, inhabited the Eastern shore; and the waters of the Bay served as a barrier to their incursions, until the settlements spread across it: and then the colony had become too powerful to dread any, or all the tribes united together. The Nanticokes were composed of several tribes, and called, in their own language, "*Nentego*," and, in the Delaware, "*Unechtgy*," or, "Sea-shore Settlers," and their territory stretched along both sides of the Nanticoke river, in Somerset and Dorchester county. The other principal tribes, on that shore, in common with the Nanticokes, of the Lenape or Delaware race, were, the *Oziniés*, on the Chester river, the *Toghwocks*, on the Sassafras, the *Atquinachtunks*, on the Delaware, the *Wycomeses*, and the *Choptanks*. On the Western shore, after the Susquehannahs, the Patuxents and the Piscataways were the most important.

These numerous tribes, united together, would have proved very formidable to the settlers; yet there never was any combination of a serious nature, and, perhaps, from the very outset, the power of the colony would have been more than a match for the warriors of any single tribe. Therefore, the Indian wars of Maryland never rose beyond petty expeditions, to chastise some hostile tribe, or to capture and punish particular individuals, who had committed aggressions upon the persons or property of the colonists. Only once did the savages make a successful inroad of any consequence, and that was against a missionary station which they destroyed, killing the inhabitants and carrying off a considerable booty. But speedy retribution overtook them, for they were severely punished by the military force

\* Or Susquehannocks, as they are indifferently called.

of the province. This massacre was doubtless committed by the Susquehannahs on a mission in the country of the Piscataways.

The dread of attack from these powerful and warlike savages, rendered it necessary that some general system for defence should be adopted. The people were obliged by law to keep a sufficient quantity of arms and ammunition in their houses, to be ready at a moment's warning; and every male, capable of bearing arms, was enrolled in the militia, and subject to be called out for the common defence. In 1642, when the fear of an invasion by the Susquehannahs was very prevalent, new precautions were adopted: no man was allowed to fire three shots, in a quarter of an hour, except to give alarm of an inroad—and every one who heard three shots within that space, was directed to repeat the signal, that the whole country might be put upon their guard: then the women and children were to betake themselves for safety to the block-houses, of which there was one in each hundred, while the men armed and rallied together to meet the foe. A garrison was placed in the fort of St. Inigoes, near the capital,\* as a main strong hold; and to provide for any sudden outbreak, when the inhabitants left their homes for religious worship, they carried their arms with them, to church or chapel, prepared for instant service.†

In 1639, an expedition was sent against some Indians of the Eastern shore, who had given cause of offence, and also against the Susquehannahs, who had been molesting the friendly tribes of Patuxent and Piscataway. The armament consisted of two pinnaces and a skiff, manned with thirty "good shot" or marksmen, who were drafted or pressed, and several volunteers. To equip and victual this force, the governor was under the necessity of sending a shallop to Virginia, to procure a supply of arms, ammunition

\* Bozman, 212; Bacon.

† Burnap.

and food.\* At the same time, the militia of the province were put upon a better footing, and drilled and exercised. In 1642, the Ozinies became hostile, and as they could muster sixty warriors, created considerable uneasiness in Kent island, in the vicinity of which their country lay. To prevent even the approach of danger, a proclamation was issued forbidding their appearance upon the island, and authorizing the inhabitants to put to death any who should disobey the prohibition. The disaffection, however, continued to spread among the tribes, and the Susquehannahs, Wycomeses and Nanticokes were, in the ensuing year, declared enemies of the province. It was at this period that the Susquehannahs struck a heavy blow, in the destruction of the missionary station already spoken of; and, while they were ravaging the western and northern frontier, the Nanticokes, on the Eastern Shore, threatened the colonists with invasion across the bay. Governor Calvert was not wanting in this crisis; he determined to anticipate their attack. Having assisted the governor of Virginia, upon a similar occasion, in punishing the Indians of the Eastern shore for an outrage upon the settlements of that colony, he wrote to him, proposing to undertake a joint expedition with two hundred men, to be raised equally by the two provinces, to chastise the enemy. At home, he directed all the frontier settlers to be drawn into the forts and block-houses, martial law to be proclaimed, and authorized the commanders to call out every third man capable of bearing arms, in case of necessity. A proclamation, similar to that for the protection of Kent island, was issued, by which every Indian, under penalty of death, was prohibited from passing within a line drawn from the Patuxent to the Potomac. The promptness of his measures produced the desired effect; for, though the colony suffered occasionally from a hostile inroad, nothing of importance

\* Bozman, vol. 2, p. 162.

occurred; and, in a short time, a truce was concluded with the Nanticokes.

While occupied with these Indian affairs, new troubles sprung up in a different quarter. The limits of the charter extended to the north beyond the Schuylkill, and, as that region presented many advantages, a party of Maryland colonists settled there, and began to reclaim and cultivate the wilderness.\* Lower down, on the bay of Delaware, the Swedes had already built a fort; while the Dutch of New York laid claim to the whole territory, and fitted out an expedition of two armed sloops to take possession of it, and to drive away the occupants. The province was too much engaged with more pressing affairs at home, to afford assistance to the settlers on the Schuylkill, who probably abandoned that region, for which the restless New Englanders now also contended, as included in their grants.

In the meanwhile, the colonists, in spite of external enemies and internal malcontents, had gone on improving and strengthening their settlements, and extending their legislation. Lord Baltimore, having, in August 1638, granted to the people the right of originating laws, which they claimed, authorized his brother, in his name, to agree to such bills as seemed proper and necessary, to be effectual, until he himself should express his disapproval under his seal. A new Assembly was therefore summoned. This body met at St. Mary's, on the 25th of February, 1639, O. S., and adopted many useful measures. The most important was an act establishing general laws for the government of the province. By it were secured the rights and franchises of the church, the prerogatives of the lord Proprietary, and the liberties of the people, according to the magna charta of England. Its subsequent sections provided for the administration of justice, the maintenance of civil rights, and the punishment of criminal offences. A county court was

\* Bozman, vol. 2, 205; McMahon, 23.

established at St. Mary's, which was still the only county of the province, although there were many subdivisions of hundreds, besides the several settlements upon Kent island, now incorporated into a separate hundred. A court of chancery was erected, the jurisdiction of justices of the peace extended and defined, the duties of the present orphan's court vested in the secretary, a short insolvent system framed, and oaths of office prescribed. In addition to these, the planting of Indian corn and tobacco was regulated, weights and measures ascertained, the custom or duty on the exportation of tobacco fixed, and military discipline provided for.\*

Heretofore, every free man who had not voted at the election for burgesses, was entitled to take his seat in the house; it was now enacted, that only the lieutenant governor, his secretary, such gentlemen as he specially summoned, and the elected representatives of the different hundreds, should henceforth constitute the General Assembly. The privileges, thus given to the governor, might have been of dangerous consequence—but Leonard Calvert's long and virtuous administration fully justified the confidence which the people then placed in his honor and integrity. A bill, passed at this session, displays forcibly the condition of the infant province. A water mill, for the use of the people, was of the utmost importance, and the governor and council were authorized to contract for its erection; provided the cost should not exceed twenty thousand pounds of tobacco, the early currency of Maryland, equal, according to the rates of a later period, to the sum of three hundred and thirty-three dollars and thirty-three and one-third cents, which was to be raised by general taxation in two years.† A similar provision was made

\* Bacon.

† Bozman, vol. 2, p. 156. The author of "A Relation of Maryland," says, "They have also set up a water mill for the grinding of

for building a "towne house." Both these laws, while they display the past weakness of the colony, also prove its growing extent and population, which rendered such improvements necessary. Heretofore, hand mills had sufficed to grind the Indian corn, in sufficient quantities for the sparse settlements—and the house of the governor was large enough to accommodate their delegates. But with the necessity came the improvement; and the erection of the first water mill and the first State house, may be considered an era in the history of Maryland.

come adjoining to the towne.—1635." Unless this attempt failed, wherefore the necessity of setting up one by taxation?

This author gives the names of some of "the gentlemen adventurers" who accompanied the first colony:

Leonard Calvert, the governor,	} his lordship's brothers.
George Calvert,	
Jerome Hawley, Esq.	} commissioners.
Thomas Cornwallis, Esq.	
Richard Gérard, son of Sir Thomas Gerard, K. B.	
Edward Wintour,	} sons of the Lady Anne Wintour.
Frederick Wintour,	
Henry Wiseman, son to Sir Thomas Wiseman, Bart.	
John Saunders,	Thomas Dorrel,
Edward Cranfield,	Captain John Hill,
Henry Green,	John Medcalf,
Nicholas Fairfax,	William Saire.—See also Boz-
John Baxter,	man, vol. 2, p. 26.



### CHAPTER. III.

**W**HILST the little colony was thus steadily progressing, in spite of the difficulties which surrounded it, the horizon, in the far east, began to darken. The contest between the king and the parliament, had broken out in England, and it seemed that the latter was about to become victorious. The government of Maryland had sprung from a royal grant, its Proprietary was an adherent of the king, and the storm, which was hurling the king from his throne, could scarcely pass by, leaving the Proprietary and his province unscathed. The spirit of disaffection already began to appear in the settlements, brought there by a colony of Puritans, who had been driven out of Virginia, which tolerated neither Catholic nor dissenter, and received with open arms in Maryland, to repay liberality with dissension and kindness with civil war. As the success of the parliament increased, their party grew in strength; and Governor Calvert, uncertain what course to pursue, and anxious to view, in person, the tendency of affairs in the mother country, determined to return to England to consult with his brother, Lord Baltimore. To provide for the government of the province, he appointed Mr. Giles Brent "lieutenant general, admiral, chief captain, magistrate, and commander," and set sail for England in the early part of the year 1643. During his absence, the spirit of disaffection increased and at length broke out in Claiborne's and Ingle's rebellion.

Claiborne's  
and Ingle's  
Rebellion.

The Indians, either urged on by the malcontents, or perceiving the internal divisions of the settlers, were again in motion. Even prior to the departure of Leonard Calvert, the Susquehannahs assumed a

threatening attitude, and the governor appointed Captain Cornwallis, a man of great skill and courage, exceedingly popular, and possessing the full confidence of the militia, to take command of an expedition to be raised by draught. But that experienced officer preferring willing services to the compulsory aid of pressed men, the design was changed, and he was authorized to assemble and organize a body of volunteers. The Susquehannahs had now become more formidable, having been furnished with fire arms and instructed in their use by the Swedes and Dutch of New York and the Delaware, who carried on a wholesale traffic, in arms and ammunition, with the Indians bordering on the English and French colonies, to the manifest danger of their settlements, and contrary to the laws of nations.\* Whilst these warlike Indians were threatening the colony on the north, Captain Richard Ingle, an associate of Claiborne, and a pirate and a rebel, was discovered hovering about the settlement with an armed ship, holding communications with, and endeavoring to strengthen the numbers of, the disaffected. Governor Brent immediately issued a proclamation ordering his arrest and the seizure of his ship. Ingle was taken, but soon succeeded in making his escape, to join Claiborne and concoct fresh designs against the peace of the province.

At length, in 1644, Leonard Calvert returned to Maryland, bearing new commissions from his brother, Lord Baltimore, for the more firm establishment of the government. He found the province in great disorder, the public officers at variance with one another, the encroachments of the Indians continuing, the pirate Ingle at large, his untiring enemy, Claiborne, up in arms and once more in possession of Kent island. A reconnoitering party of eight men, under Mark Pheypo and John Genalles, was immediately despatched across the bay, in a light shallop, to watch the

\* Bozman, vol. 2, p. 272.

movements of the insurgents; and preparations were made to dislodge them. They were proclaimed public enemies.\* But the efforts of Governor Calvert to obtain possession of Kent island failed; and the two rebels, emboldened by their success and certain of assistance from their friends, invaded the Western shore, and, after a short struggle, obtained complete possession of the province. Governor Calvert was compelled to fly to Virginia, and the conquerors immediately commenced a system of outrage and oppression upon those who had adhered to his fortunes and supported the laws of the colony. Many were robbed of all their possessions, and banished from the province, and those, who were permitted to remain, were so despoiled as almost to become destitute of the means of subsistence.† Even the mild and unassuming missionaries, who had avoided mingling in the dangerous politics of the day, were seized, their stations plundered and broken up, and they themselves, with the venerable Father White, the apostle of Maryland, among the number, sent in chains to England, where long imprisonment awaited them.‡ They took possession of the provincial records, which they so mutilated and destroyed, that it is almost impossible to obtain an accurate account of their proceedings, or of the struggle which preceded their success.§

In England, the parliament had at length utterly overthrown the power of the king, who was now a captive in their hands; and the last stronghold of his partizans had been surrendered to the arms of their successful generals. Claiborne and Ingle acted in the name of the parliament, and their success, in these circumstances, seemed a death blow to the supremacy of Lord Baltimore, in the province. He felt this, and accordingly, in 1646, directed his brother, the late governor, and Mr. Lewger, the secretary, to collect

\* Jan. 1645, O. R. † Bozman; Burnap. ‡ Campbell.

§ Bozman, 290; Burnap, 218.

and take charge of such of his private property as might be saved from the wreck of his fortunes, apparently abandoning forever the hope of recovering his Proprietary rights. But Leonard Calvert would not so easily submit to the overthrow of his just authority, and the destruction of their common prospects. The inhabitants of Virginia had remained loyal to the crown, and, perhaps, the majority of the people of Maryland were at least firmly attached to the mild and parental government of the Calverts. In Virginia, therefore, Governor Calvert found a safe refuge, and soon began to collect the means for a final effort to subdue the rebels;—while, in Maryland, the systematic outrages, the oppression, and the misrule of the usurpers, before long, prepared the people to sustain him in his attempt. At length, having completed his preparations, and believing the time propitious for his undertaking, about the close of the year 1646, at the head of the military force which he had levied, he crossed the Potomac, surprised the enemy, and, having gained an almost bloodless victory, re-entered St. Mary's in triumph, and once more took possession of the government.

Captain Hill, who had acted as governor under a commission from the council, submitted and retired to Virginia, without attempting to maintain his power; and in a short time the whole Western shore, after having been under the dominion of the rebels for nearly two years, joyfully renewed its allegiance to Lord Baltimore. Such of the missionaries as still survived in freedom again returned to their flocks, who rejoiced in beholding them once more: and the old peace and freedom were re-established.\* Father White was not one of this fortunate number: his eyes were ever turned longingly towards his rude flock in the wilderness of Maryland—but he was destined never to return among them. Banished from England, he again ventured back

\* B. U. Campbell.

into the kingdom, in defiance of the penal laws, to pursue his duties as a priest, and was again imprisoned. He died in London, on the 27th of December, 1656, in the seventy-eighth year of his age.

Kent island, however, the stronghold of the malcontents, did not submit so easily as the rest of the province; and it was found necessary to declare martial law, to cut off all communication from without, and to send an expedition, under the governor himself, into the island, before the rebels could be reduced once more under the authority of the lord Proprietary. Proper measures were immediately adopted to secure the tranquillity of the island, or county as it was now called; and, desirous of healing old differences, and subduing the hostility of the disaffected by kindness and generosity, the governor granted an amnesty to most of the offenders, and returned to St. Mary's.\*

Order was restored once more to the colony; renewed prosperity, the necessary result of its internal resources and its re-established tranquillity, already commenced to dawn upon the inhabitants, when a new, and almost irreparable, misfortune befell them, in the death of their amiable yet enterprising governor. At St. Mary's, surrounded by his family and friends, on the 9th of June, 1647, Leonard Calvert breathed his last, having, in virtue of the power vested in him by his brother, named Thomas Greene his successor as governor of Maryland.† During the space of fourteen years, he had guided the colony through the storms which darkened around its infancy—he had devoted his whole life and energies to its permanent establishment—with a disinterested self-devotion, he had striven, in the wilderness, for its glory and its prosperity: and it seemed as if, through a special providence of heaven, to reward his labors, a beam of sunshine and tranquillity had broken over the province as he was about to die, at peace with all, triumphant

\* Bozman.

† Burnep.

over the enemies of Maryland, full of honor, and enriched with the prayers and blessings of a rescued people. His character, public and private, was without stain, his abilities were undoubted, his government kind and parental, and his memory was long cherished by the colonists with grateful recollection. He was, indeed, a great and good man,—more truly illustrious, in what he founded and reared, than the greatest conquerors, in what they have overthrown and destroyed.

Governor Greene immediately entered upon the duties of his office, and his first effort was to prevent any attempt to disturb the peace of the colony, on the part of Captain Hill or his adherents, who had taken refuge across the Potomac. As the session of the provincial court was approaching, he issued a proclamation, prohibiting any of the refugees from claiming the assistance or judgment of the court, in any case, in their favor, until they had taken the oath of fealty, therein prescribed, to the government. But a difficulty now sprung up from another source. During the past commotions, the colonists had neglected, or been unable, to plant a sufficient quantity of corn; and a scarcity of food began to be apparent. The troops, which Governor Calvert had enlisted in Virginia, were not yet paid or discharged, and it was found difficult to furnish them with subsistence. They had been denied the privilege of plundering the rebels, and the poverty of the province rendered it very difficult, after the late disorders, to raise their arrears of pay. To satisfy their present demands, Governor Green issued a proclamation, directing a seizure of all the corn which the people might have, over and above a sufficiency for their own use, to be paid for out of his lordship's estate at the rate of one hundred and twenty pounds of tobacco per barrel, or to be replaced, provided enough should be imported into the colony.\* Mrs. Marga-

\* Box. 309, 313, 315.

ret Brent, a relative and the administratrix of the deceased governor, a woman of great spirit and energy, had already exhausted all the resources of his estate to meet the crisis; and the legislature, which met shortly after, confirmed the measures of the governor, allowing each family to retain two barrels of corn per head, excepting infants, and fixing the rate of compensation, for the quantity pressed for the public service, at one hundred and fifty pounds of tobacco per barrel. The governor had considered it prudent, in the deranged state of affairs, to prohibit the exportation of corn or horses from the province until the scarcity should be remedied: this measure was also approved of, and continued. At the close of the session, to heal up all existing differences, a general pardon was proclaimed for those rebels who might embrace its terms, excepting therefrom only Captain Richard Ingle. Thus seems to have ended this rebellion, which had been boldly conceived, and energetically executed; and which was successful for a time, but overthrown through the excesses of its leaders and the affection of the people for the Calverts. Its lingering consequence was longest felt, in the threatening aspect of the Indians, who still continued so hostile, that the governor found it necessary to adjourn the county court, lest the absence of jurymen, parties, and witnesses, from the frontier districts, in their attendance upon it, should weaken those exposed portions of the settlements and subject them to outrage.

*Liberty of  
conscience.*

Mingling in the political causes, which brought on this rebellion, was a feeling of religious intolerance, in the Puritan faction, which wreaked itself upon the unoffending missionaries, and first infringed on the rights of liberty of conscience in Maryland.

Lord Baltimore now perceived, that, while concessions to the Puritans might be necessary to maintain his province, new guards were required to prevent the growing feeling

of bigotry from destroying the sanctuary which he had erected at the cost of so much care and treasure. Therefore, in 1648, he appointed William Stone, governor of the province, and prescribed that famous oath of office, which secured the continuance of liberty of conscience and full toleration to all persons who professed to believe in Jesus Christ.\* Governor Stone had undertaken to transport into the province five hundred settlers, who were probably like himself, Protestants, as were the new secretary and the greater portion of the council. Heretofore, the most of those appointed to office by the lord Proprietary were Catholics, as were the majority of the settlers; but now, the Puritans being triumphant at home, he hoped by this measure to propitiate them, at the same time that, by the oath of office, he secured to all Christians the full toleration which had hitherto most scrupulously been observed. Governor Stone entered upon his duties towards the close of the year 1648, or the opening of the ensuing year. On the 2d of April, 1649, the General Assembly was convened at St. Mary's, and, to give additional security, to the safeguards which Lord Baltimore had already provided, passed an act, that must forever render memorable the founders and people of Maryland. After enacting severe punishments for the crime of blasphemy, and declaring that certain penalties shall be inflicted upon any one who shall call another a sectarian name of reproach, it proceeds with the sublime declaration: "and whereas the enforcing of conscience, in matters of religion, hath frequently fallen out to be of dangerous consequence, in those commonwealths where it has been practised, and for the more quiet and peaceable government of this province, and the better to preserve mutual love and unity amongst the inhabitants, &c., no person or persons whatsoever, within this province or the islands, ports, harbors, creeks or havens thereunto belong-

\* Bozman, vol. 2, p. 335; McMahon, 236.



ing, professing to believe in Jesus Christ, shall from henceforth be any ways troubled, or molested, or discountenanced for or in respect of his or her religion, nor in the free exercise thereof, within this province or the islands thereunto belonging, nor any way compelled to the belief or exercise of any other religion, against his or her consent."\*

The passage of this act is one of the proud boasts of Maryland, and its exact execution, until the government was overthrown by the Puritans, and, from its restoration, until the Protestant revolution, forms one of her greatest glories. Elsewhere upon the wide continent, there were pains, and penalties, and disabilities. In the north, the Puritans drove the Episcopalian from their borders; and bound the peaceful Friend to the whipping-post, bored his tongue, slit his ears, or condemned him to die upon the gallows. In Virginia, the Catholic and the Puritan were alike disfranchised and banished, by the Episcopalians: and even Rhode Island, founded by the mild and gentle Roger Williams, denied to Catholics a participation in the political rights that were enjoyed in that community by all others.† Only in Maryland was there that true toleration and liberty of conscience, which won for her the name of the "*Land of the sanctuary*." Whoever was oppressed and suffered for conscience, might there find refuge—whoever fled from intolerance, there received shelter, protection, and repose. The Catholic and the Protestant, the Puritan, the Episcopalian, the Presbyterian and the Friend, there joined hands together, in peace and fellowship, worshipping God securely, according to the dictates of their conscience—for there was none to "molest or discountenance them." Even religious controversy and sectarian strife, the bane of peace and union, were banished from this earthly paradise, and whoever dared to stigmatize his fellow man as "heretic, schismatic, idolater, Puritan, Independent, Pres-

\* Bacon's Laws.

† Grahame, vol. 2, p. 22, note.

byterian, Popish Priest, Jesuit, Jesuited Papist, Lutheran, Calvinist, Anabaptist, Brownist, Antinomian, Barrowist, Round-head, Separatists, or any other name or term, in a reproachful manner, relating to matter of religion,"\* was subject to a fine of ten shillings sterling, one half to be paid to the party insulted, and in default thereof, to be publicly whipped and imprisoned until he should make ample satisfaction to the party offended, by asking and receiving his forgiveness, publicly, and in the presence of the chief officer of the place where the offence had been committed. Far, even in advance of the toleration of the present day, was the liberty of conscience of early Maryland, in this respect; for it protected the feelings, as well as the rights and privileges of the citizens.

That the Catholics were still in the majority is evident: it was their only refuge from persecution, and hither, therefore, every emigrant turned his steps. Germans, French and Italians, sought a home within the borders of Maryland. With the tide of emigration thus in their favor, with the large body of Catholic settlers who had come over in the first five or ten years, to increase the numbers of the early pilgrims, it is not probable that they should have been already outnumbered by the refugees, who, driven from other colonies, sought asylum in Maryland.† Indeed, Gov. Sharpe says, in 1758, writing to Lord Baltimore, that up to the date of the Protestant revolution in 1689, the Catholics were the majority of the people.‡ The law, as is evident

\* See Bacon's Laws for the act.

† Burnaby, an English Episcopal clergyman, who visited Maryland in 1760, 114 years after this time, when this toleration had been destroyed, and the number of Catholics decreased by oppressive and restraining laws, says, that there were still "as many Catholics as Protestants;" alluding to the Established Church, and meaning "Episcopalians"—who were probably more numerous than any other Protestant denomination. It is not credible, therefore, that they were in the minority in 1649, or even long after.

‡ See his letter in *Annals of Annapolis*.

from the second section, was framed by a Catholic Assembly, while it was assented to by a Protestant governor and council; so that a portion of the honor is due to both: and *all* the people of Maryland may claim this glory of their forefathers, as their equal and common heritage, while all must equally regret the penalties, which its first section denounces, but which do not appear to have been ever enforced. But this act, in its best provisions, was only the solemn recording of that law, which had heretofore governed the province, and which had been laid down by its Catholic founders, and proclaimed from its first settlement. And yet the greatest misfortunes of the province sprang out of the most important exercise of this liberality.

The Puritans had established a conventicle in Virginia, and three ministers were sent from Boston to convert the "ungodly Virginians:" but as their numbers began to increase, the government determined to break it up, and, in 1642, the members were dispersed and driven from the province.\* Many of them, with Richard Bennett at their head, sought refuge in Maryland, were kindly received, and settled at a place which they called Providence, probably, near the present city of Annapolis, in Anne Arundel. They were no sooner seated in their new habitations, than they refused to take the oath of fealty to the province, which the law required from all emigrants, upon obtaining patents for their lands. They declined this oath, "because it was an oath," says one of their defenders, "to support a government which upheld antichrist," that is, secured freedom of conscience to Catholics and Episcopalians, as well as to themselves. They formed themselves into a community, governed by their own congregational church system, occupied the lands without any formal grants, and had no recognised connection with the colony, until in July, 1650, when their settlement was erected into a county, and a commander

\* *Bosman*, vol. 2, p. 379.

and justices of the peace appointed, as in Kent and St. Mary's.

Events in England had now taken such a course as to affect, materially, the condition of Maryland. The king, who had been captured by the republicans, was brought to trial before a tribunal, erected by them for the purpose, sentenced to death, and publicly executed on the 30th of January, 1650; and the parliament, to destroy royalty in England for ever, issued a decree declaring it to be treason for any one to acknowledge his son Charles as king. In spite of this prohibition, he was immediately and formally proclaimed by the authorities of Maryland; and, to commemorate his accession, a general pardon for all offences was published by the governor. This daring act of loyalty aroused the adherents of the parliament, and finally led to the reduction of Maryland.

The Puritans had gradually grown in strength, since their first admission into Maryland. Besides the colony brought over by Governor Stone, another had lately arrived from England, under Richard Brooke, and settled in the county of Charles, which was erected for them, and of which their leader was made commander. When the Assembly was called, consisting of fourteen delegates, it was found that the partisans of the commonwealth were in the majority: at first, however, the Puritans of Providence had refused to send representatives; and it was not until the governor visited them in person to persuade them that they consented. At the same time, they began to give currency to a report, doubtless derived from their friends in England, that Lord Baltimore's government was about to be overthrown, and the province "reduced" under the control of the commissioners of parliament. The authorities made an effort to put a stop to these rumors, but it was soon discovered that they were not without foundation. Parliament had passed an ordinance

The reduction of Maryland.

for the reduction of Barbadoes and Virginia, which, however, was not put in execution until the year following, when a commission was issued to sundry persons, among whom were William Claiborne, whose intriguing appears throughout the whole transaction, and, the Puritan, Richard Bennett, heretofore so hospitably received into the province, when exiled from Virginia. The appointment of these two men boded ill for Maryland. With a fleet of several armed vessels, and a regiment of seven hundred men, the commissioners, who were in England, set sail for the colonies. After a short struggle, they obtained possession of Barbadoes, and proceeded to Virginia, where they were joined by Bennett and Claiborne. The governor of Virginia made his submission and received favorable terms. Although the duties of the commissioners had now been performed, the opportunity of revenging fancied wrongs, and gratifying ancient hostility was too favorable for Claiborne to permit it to pass unimproved. Bennett joined eagerly in the scheme, and, although the province of Maryland, after having been included in the commission, was exempted from it, under color of some general terms, they resolved to extend their authority over it. Towards the close of March, 1652, they arrived at St. Mary's, and required that the colony should conform to the laws and submit to the authority of the commonwealth, saving Lord Baltimore's rights. To this Governor Stone consented: but when they insisted that the name of the Proprietary should be erased from all writs and processes, and that of the commonwealth used in its stead, he felt himself compelled to resist. They then demanded an inspection of his commission, and when he produced it, violently seized upon it, and removed him and his subordinates from office. They next appointed a council, of which Robert Brooke was made president and acting governor, took possession of the records, and entirely abolished the authority of the Proprietary in the province. The

commissioners then departed to Virginia, and declared Richard Bennett governor, and Claiborne secretary of that province, and having made some further regulations for its government, revisited St. Mary's to arrange that of Maryland on a similar basis. They reinstated Governor Stone in his office, upon somewhat modified conditions, delivered over to Claiborne Kent island and Palmer's island, at the mouth of the Susquehanna, and returned again to Virginia. Thus, Claiborne was once more successful, and the power of Lord Baltimore again overthrown.\*

A treaty was now entered into with the Susquehannahs, by which they ceded to the colony all their territory from Palmer's island to the Patuxent, and a large tract on the Eastern shore. No sooner had this powerful tribe thus buried the hatchet, than the Nanticokes broke in upon the Eastern shore settlers, burning, killing and ravaging. Terror prevailed among the inhabitants; and an earnest effort was made by the governor to raise a force and protect the frontiers. Every seventh man, capable of bearing arms; was ordered to muster into service, to be fitted out at the expense of the remaining six; boats were pressed, and the whole expedition was ordered to rendezvous at St. Mattapan, under the command of Captain Fuller. The Puritans of Anne Arundel, however, refused to make their levies, selfishly alleging as the reason, the hardships of the season, December and January, and the danger to their health, from exposure on the bay and rivers in open boats. Delays thus arose, and, perhaps the note of preparation causing a cessation of outrage, the soldiers already levied were discharged to their homes and the expedition abandoned.†

For several years, the inhabitants had devoted themselves very extensively to the culture of tobacco, somewhat to the neglect of corn, which, during the late commotions, had been still less attended to; a second season of scarcity was

\* Bosman, vol. 2, p. 448.

† Bosman.

the consequence. Tobacco and corn were from the earliest period the staples of Maryland commerce: the first crop of Indian corn gathered by the pilgrims at St. Mary's, afforded them a surplus with which they opened a coasting trade to New England, which was also, afterwards, carried on with New Amsterdam. Subsequently, when the culture of tobacco and corn grew extensive, this trade increased: indeed the greater portion of their tobacco passed through the hands of the Dutch, who were then monopolizing the carrying trade of the world. In 1640, all commerce with foreign countries was prohibited to the colonies by the British parliament: and, by the famous navigation act, the carrying trade, which the Dutch still enjoyed between England and the colonies, was entirely cut off. Thus the colony was deprived of that privilege of free trade, which Lord Baltimore had secured it, and suffered greatly from the consequent diminution of its commerce in tobacco, which rendered the pressure of the scarcity of corn more severe.

The Lord Proprietary, thus dispossessed of his province, did not rest quietly under the manifest wrong and injustice which had been done him. He immediately took steps to call the commissioners to account, for their illegal proceedings in Maryland, while their agents presented a petition, on their behalf, to the parliament. It was dismissed: and, the parliament having been dissolved by Cromwell, who had seized upon the reins of government, and the Dutch war being then at its height, no further notice was taken of the matter. Lord Baltimore, perhaps relying upon the growing tendency of Cromwell to monarchical power, determined to right himself in spite of the republicans, and directed Governor Stone to require all persons to take the oath of fidelity, and to re-establish the Proprietary government, which was accordingly done in 1654.

No sooner had Claiborne and Bennett, in Virginia, heard

of these proceedings, than they hastened to Providence to restore the old order of things. Both parties began to arm: but the commissioners, having gathered the Puritans in strength, on the northern boundaries of the loyal districts, threatened them, on the south, with an invasion by a strong force from Virginia, and Governor Stone, timid or disaffected, again submitted. They took possession of the province, and issued, in the name of Cromwell, whom Stone had already proclaimed, a commission for its government, at the head of which was placed Captain William Fuller. Their next step was to disfranchise the Catholics, who had received them into the province when flying from persecution abroad. An Assembly was called, and it was especially prohibited for any Catholic or royalist to vote for or to sit therein as a delegate.\* As soon as this body, thus constituted, and representing a minority of the people, assembled, it proceeded to pass a law, enacting that no persons professing the faith of the Catholic church "would be protected in the province, but that they ought be restrained from the exercise thereof;" at the same time denouncing "prelacy," for so they denominated the church of England. Thus was consummated the first dark stain upon the fair fame of Maryland; but it was the act of fanatic refugees from the north, who had been kindly received and warmed into life by those whom they now turned upon and stung. By the same Assembly an act was passed to prevent the taking of the oath of fidelity to the lord Proprietary.

When Lord Baltimore was apprized of these proceedings, he despatched a special messenger, William Eltonhead, to the colony, with a severe rebuke to Governor Stone for thus yielding up his authority without a blow, and instructions to resume it immediately. Accordingly, in the opening of the year 1655, Stone issued commissions to his friends, and began to make levies among the people of St.

\* Bacon.



Mary's, who had ever remained faithful to the Proprietary. In a short time, he found himself at the head of two hundred men. Believing himself strong enough to strike, he despatched a party of twenty men under William Eltonhead and Josias Fendall, to recover the records of the province, which the commissioners had seized and removed to the house of Richard Preston on the Patuxent, and to capture a magazine of arms and ammunition gathered there by the Puritans. The party was completely successful, and the records, together with the magazines were once more restored to St. Mary's. Then, having pressed into his service ten or twelve vessels, lying in the harbor, Governor Stone embarked part of his force and set out against the people of Providence. On his way, he was met by messengers from Captain Fuller and his council, remonstrating against his proceedings, desiring to know by what authority he acted, and protesting, "that by the help of God, they were resolved to commit themselves into the hands of God, and rather die like men, than live like slaves." Gov. Stone returned no answer to the messengers, whom he detained, thereby hoping to take his enemies by surprise. Three of them, however, made their escape to Providence, and the Puritans; thus put upon their guard, began their preparations for defence.

There was an armed merchantman, the "Golden Lyon," at anchor in the harbor, commanded by Captain Heamans; this vessel with its crew, they succeeded in winning to their cause. With this aid, and their own people collected and armed, and with the certainty of reinforcements from Claiborne's men upon the isle of Kent, which lay plainly in sight across the noble expanse of water, they felt themselves strong enough to bid defiance to their opponents. In the meanwhile, governor Stone despatched Doctor Luke Barber, and others, envoys to the Puritans to demand an unconditional submission: but the message produced no effect,

and he immediately entered the mouth of the harbor with his twelve sail of transports. As he was about to effect a landing, the Golden Lyon fired a gun at his little fleet, and, a second shot falling close to the boats, he sent to require the reason for this conduct; but the merchantman persisted in taking part with the Puritans, and, his own small craft having no metal to oppose to her, he assumed, during the night, a position higher up the creek. Early next morning, the Golden Lyon, and some other vessels, with two pieces of cannon, were moored across the mouth of the creek, so as to blockade the fleet, and, as soon as the governor drew out his little force in array upon the shore, they opened their batteries upon them, killing one of his men and compelling him to withdraw out of reach of their shot. While affairs were thus progressing, Capt. Fuller, at the head of one hundred and seventy\*men, embarked in boats from Providence, and, having gone some distance up the river, landed, and made a circuit round the creek to the place where the forces of governor Stone were lying. As soon as their approach was discovered, the latter drew out in battle array, and the two parties, shouting out their respective battle cries—" *In the name of God fall on—God is our strength!*" and, "*Hey for St. Mary's!*" rushed to the conflict. For a time the fight was well sustained; but, at length, the undisciplined levies of the yeomen of St. Mary's, began to yield before the charge of the Puritans, whose captain, with many of his men, had doubtless been inured to battle in the wars of England under the victorious banner of Cromwell. Defended by a fallen tree, a portion of the Marylanders continued to maintain the action long after the main body had been defeated. Of the whole force only four or five escaped, fifty were killed or wounded, attesting the obstinacy of the conflict, and the rest taken prisoners. Among the slain, was Thomas Hatton, secretary of the province: and Governor Stone, Col. Price, Major Chandler,

\* Chalmers. Stone's force was 180 men.

and Captains Gerard, Lewis, Fendall and Guither, (the governor and several others being also wounded,) were among the prisoners. The vessels, arms and ammunition, fell into the hands of the conquerors. The Puritans were completely triumphant: their loss was only two killed on the field, and several wounded, two of whom died soon after the conflict. This battle so disastrous to the fortunes of Lord Baltimore, was fought on the 25th of March, 1655.

Yet glorious as was the victory of the Puritans, they immediately stained it by an act, as cruel and bloody, as it was unnecessary. The governor and several of his council and others to the number of ten, were condemned to death, although they had surrendered themselves upon the pledge of quarter; and four of them, William Eltonhead, (Lord Baltimore's special messenger), his servant, Lieut. Lewis, and Mr. Leggatt, were shot in cold blood. The rest only escaped at the stern intercession of the victorious soldiery themselves, after the prayers of the females of the settlement had proved ineffectual—some of them, at the very moment they were being led forth to execution. Nothing in the history of the colony can compare with this cold blooded and nefarious outrage. The governor and his council were detained prisoners for some time, and were prohibited from communicating with their friends: Governor Stone was not allowed even to write to his wife, at St. Mary's, without submitting the letter to the inspection of his keepers. This lady was at length permitted to visit her husband, and to nurse him, during his recovery from his wounds. Before leaving St. Mary's for the purpose, she wrote a detailed account of these unfortunate transactions, to Lord Baltimore. Being thus undisputed masters of the colony, the Puritans proceeded to confiscate the property of all who had taken up arms to resist their encroachments and sustain the cause of the Proprietary.\*

\* Bozman, vol. 2, pp. 501-520; McMahon, 207.

Both parties now appealed to Cromwell; Bennett, who had hastened to England, on the part of the Puritans, and Lord Baltimore, in his own behalf. After various proceedings, the protector referred the matter to the lords commissioners, Whitelock and Widrington, who, it is probable, reported in favor of the Proprietary's right to the government, but owing to the pre-occupation of the protector and his council with more pressing matters, the report remained unconfirmed. Claiborne and Bennett renewed their petitions and representations, while Lord Baltimore without waiting for further approval, determined to make another effort to restore his authority. On the 10th of July, 1656, he appointed Capt. Josias Fendall, governor of the province: but, before he could take any effective steps, the new governor was arrested by the Puritans, "upon suspicion," and brought before the provincial court, to answer the charge "of dangerousness to the public peace." He denied the power of the court to try him, and was ordered to be imprisoned until Cromwell should settle the disputed affairs of the colony. A month later, having grown weary of confinement, he made his submission, took an oath not to disturb the peace of the commonwealth, and obtained his release.

In the mean time, the controversy had been referred to the "commissioners of trade," in England: they reported entirely in favor of the lord Proprietary, who now renewed his instructions to Governor Fendall, directing that the act for freedom of conscience should be duly observed in Maryland, and commanding him to reward, with grants of lands, those who had been active in his behalf—to take especial care of the widows of those, who had been killed in his service,—particularly Mrs. Hatton, Mrs. Lewis and Mrs. Eltonhead—supplying them out of his rents, in a comfortable manner, and tendering them the assurance, that his lordship would endeavor to obtain justice upon their hus-

bands' murderers; in fine to cherish all who had shown zeal in his cause according to their respective merits.\* To aid and give countenance to his governor, he appointed his brother, Philip Calvert, secretary of the province, and sent him thither early in the spring of 1657. The new governor and secretary obtained possession of the capital without difficulty, and soon succeeded in extending their authority over the faithful county of St. Mary's; but beyond this their success did not immediately extend. Maryland was now under a divided rule. The Puritans—Capt. Fuller and his council—governed the north, at Providence, destined hereafter under the name of Annapolis to become the capital of the colony and the state; and Governor Barber, (whom Fendall, being compelled to visit England on the affairs of the province, had appointed by virtue of his commission to act in his absence,) and the friends of the lord Proprietary, held possession of the ancient city of St. Mary's. The Puritans, determined to consider their authority as still undisputed, and probably having possession of the records and public seals, summoned an Assembly, which convened at Patuxent on the 24th of September, 1657, and proceeded to confirm the authority of their party. They also levied a poll tax to pay the public expenses, and appointed commissioners to collect the fines, imposed upon the adherents of the Proprietary.† But their domination was near its end.

Cromwell had grown weary of republicanism. He had rejected the title of king, for the power of dictator; and he sought to gather around him the old nobility of England. The republicanism of the Puritans, therefore, was no longer a recommendation, and the prospects of the Proprietary began to brighten daily. Bennett, the agent of the Puritans, soon perceived the turn of affairs; and, despairing of maintaining their supremacy, hastened to make an agreement with Lord Baltimore, in their name, by which the whole

\* Bozman, vol. 2, p. 698.

† Bacon.

province was to be surrendered up once more to its rightful owner, leaving the disputes which had arisen, and the offences which had been committed, during the troubles, to the adjudication of the protector. It was also agreed that patents for their lands, under the condition of plantation, should be issued to them; and all persons desirous of quitting the province, should have the privilege of doing so without hindrance. Lord Baltimore further pledged himself, never to consent to the repeal of the law in favor of freedom of conscience, which he had always firmly cherished and endeavored to preserve, and which the Puritans now desired to be enforced as a protection to themselves.\* This agreement Governor Fendall brought with him on his return from England, in 1658, together with instructions, relative to grants of lands, ordering, among others, one of ten thousand acres to Edward Eltonhead, doubtless a near kinsman of him who had suffered at Providence—containing also restrictions upon his powers, and subjecting him in their exercise to the advice and consent of Philip Calvert, or in case of his death, of Thomas Cornwallis, the early hero of the colony, its leader, and the steady friend at once of the Proprietary and the people. Barber immediately surrendered back his powers into the hands of Governor Fendall, the articles of agreement were publicly read, and a day appointed for the meeting of the rival authorities, at St. Leonard's Creek. On the 22d of March, both parties were assembled at the place designated, but the Puritans objected to a clause in the oath of fidelity, demanded a mutual indemnity for all past transactions, and requested that they might not be disarmed and left defenceless to the mercy of the Indians. Upon consideration, as far as regarded persons already in the province, the oath was modified, and the remaining demands conceded by the governor and council; two days after, the amended

\* *Borman*, vol. 2, p. 584.

agreement was solemnly adopted, Fendall's commission, as governor of Maryland, read and proclaimed, and writs issued for a General Assembly, to be held at St. Leonard's, on the 27th of April following.\*

Thus ended the ascendancy of the Puritans, in Maryland, which was once more peacefully restored to the government of the lord Proprietary, after nearly six years of successful rebellion, on the one part, and unceasing struggle on the other. It would seem as if a season of peace was now about to dawn upon the colony; but no sooner had Governor Fendall overthrown the power of the Puritans, than he set about undermining that of the lord Proprietary. At the session of 1659, the House of Delegates, doubtless by his contrivance, demanded that the governor and council should no longer sit as an upper house, as they had done since the year 1649—and claimed for itself the rights of supreme judicial and legislative power. For a decent time, Fendall made a show of resistance; at length he yielded, and with two of his council took his seat in the lower house.† The upper house was then declared to be dissolved; and Fendall, having resigned his commission from the lord Proprietary into the hands of the Assembly, accepted from that body a new one in their own name and by their own authority. To secure obedience to this new and almost republican government, an act was passed declaring it to be felony to disturb the existing order of things, and the people were commanded, by proclamation, to acknowledge no authority, except that which came immediately from the assembly, or from the king, who had now been restored to the throne of England.‡ But the power of this new rebel was of short duration. The people were tired of intestine commotions, and looked back with regret to the mild and parental government of Leonard Calvert. They, therefore, joyfully submitted to

\* Bozman, vol. 2, 562.

† McMahon.

‡ Bacon, 1655.

Philip Calvert, whom Lord Baltimore appointed governor upon receiving the intelligence, of Fendall's rebellion, and who appeared amongst them armed only with the proclamation of the king, commanding all his faithful subjects to yield him obedience. Fendall gave himself up, and was respited by the governor from the punishment which he had merited, contrary to the express orders of Lord Baltimore. He only made use of his clemency to excite new troubles in after days.

Of the precise object of Fendall's designs it is now difficult to form an estimate. That they tended, almost, to republicanism, there can be no doubt: possibly, he hoped, by the overthrow of the power of Lord Baltimore, to secure to the legislature of the colony an entire supremacy, with a nominal subjection to the king. His chief associates were, Mr. Robert Slye, Speaker of the House, and Mr. Gerard, and Col. Nathaniel Utye, two members of his council. It is not improbable that the idea of colonial independence already floated before their minds.

Of Claiborne, the arch-disturber of the peace of Maryland, little need be said. After this last overthrow of his long cherished schemes against the province of Maryland, he abandoned all hope of a successful struggle with the power of his ancient enemies, the Calverts; and retired into Virginia, where he settled in a county named New Kent, probably by himself, in remembrance of that beautiful island in the Chesapeake, in which the hopes of his turbulent and ambitious life had been centered, and for which he had contended so untiringly. He still continued a man of some distinction, and represented New Kent, in 1666, in the Virginia House of Delegates.\* He met his death in battle with the indians, at Moncock hills, and was buried upon the field.†

\* 2 Burke, 140.

† B. U. Campbell's MSS. Notes.



## CHAPTER IV.

### THE PROTESTANT REVOLUTION.

**AFTER** all these storms, at length a calm succeeded. For a long time the government remained fixed—and, under its gentle and benign influence, the colony increased in the number of its inhabitants, in its productions and its commerce, and enjoyed all those blessings which necessarily flow from peace and prosperity.

For a period of thirty years, the steady stream of quiet advancement flowed on in Maryland, and, therefore, this portion of its records is more barren of notable events than even that which preceded it. At no time, in the early history of the State, were there great wars, civil or foreign, or extensive combinations among the Indian foes. Therefore, there were few sanguinary battles—few great and terrible crimes, or astounding calamities. Its civil wars were almost bloodless; its Indian enemies were not more difficult to subdue than a mere band of robbers; their depredations seldom exceeded a petty theft and an occasional murder, and a single company of men were generally sufficient to repel them. In the course of ten years of civil commotion, the largest force ever brought into the field, was not more than one-sixth of the enrolled men of the province, scarcely sufficient to form a full battalion of men at the present day. Therefore, it is not in these things, that the most interesting portion of Maryland's early history must be sought. Nor does the truest glory spring from these. The happiness of the people—peace at home and abroad—public virtue, and equal justice to all, are the purest and best titles of a nation, to the commendations of history and the admiration of posterity.

The colony, again under a brother of its founder, having proclaimed Charles II king, set about legislating\* to remedy the consequences of the late troubles and to increase its prosperity. A mint was established for coining shillings; port duties were laid and regulations for masters of ships adopted: taxes, at the rate of eighteen pounds of tobacco per head, were imposed for the proper maintenance of the government, and a special provision was made for soldiers wounded or disabled in the service of the colony. The mode of payment of port duties is worthy of notice, as indicating the wants of the times; every vessel, having a flush deck fore and aft, coming to trade in the province, was required to pay one half pound of powder and three pounds of shot for every ton burthen. To insure the circulation of the new coinage, every householder was compelled to take from the mint ten shillings for each taxable in his family, for which he was to pay in tobacco, at the rate of two pence per pound. For nearly two years, the affairs of the province were prosperously conducted by Philip Calvert, when, in 1662, he was superseded by his nephew, the Hon. Charles Calvert, son of the lord Proprietary, and heir of the province. At the time Philip Calvert assumed the government of the colony, in 1660, its inhabitants numbered twelve thousand: and nothing evidences more strongly the excellence of his administration, and that of his nephew, than its rapid increase. In the space of five years, it had swelled to sixteen thousand souls—an increase of one-third; and in 1671 to twenty thousand. As the population increased, it had been found necessary to enlarge the number of counties, of which there were already seven—St. Mary's, founded in 1634; Kent, in 1650; Anne Arundel, 1650; Calvert, 1654; Charles, 1658; Baltimore, 1659; and Talbot, 1660–81.† As yet there were few towns:—indeed, the towns of early Maryland never reached any extensive

\* 1660—see Bacon.

† McMahon; Bacon.

growth. St. Mary's contained but little more than fifty or sixty houses, and Providence, or Annapolis, was still smaller. The people were planters and farmers, and such occupations are not favorable to the growth of towns. They obtained all their supplies of manufactured articles from the mother country, which thus monopolized their trade. The principal planters, found it convenient to make importations of large quantities of goods, which they stored away and which served, not only to supply their own demands, but also those of their neighbors. Thus, to a great extent, was the internal trade provided for, through St. Mary's. There was no manufacturing business to build up towns, and even the mechanics, whose trades were in most demand, were generally drawn by the convenience of their customers, from the towns, into the clusters of settlements in the interior. There was no influence, therefore, but that of the seat of government, calculated to foster and build up a city: and it was this alone that sustained St. Mary's.

The first Assembly, which was called together by Charles Calvert, continued the spirit of improvement which had manifested itself under his uncle, the late governor. They directed a State house and prison—another evidence of the increasing wealth and growth of the colony—to be purchased: they declared the laws of England to be in force in the province, in proper cases, and where there was no special colonial legislation. The publication of marriages was provided for, and an inducement held out to farmers to raise English grain. As a tribute of gratitude and affection to the Calverts, they ordered a levy of twenty-five pounds of tobacco per head, on every taxable for the use of the governor, Charles Calvert.\* At the next session, in 1663-4, the Assembly was still busied about the administration of their internal affairs and laying the foundations of much of the present systems of laws. They regulated the duties of

\* Bacon, 1662.

sheriffs, endeavored to establish rules for the conveyance of lands in the future, and to quiet their present possession, provided for the preservation of orphans' estate, the general administration of justice, the appointment of a public notary, the making of ferries, the erection of a magazine and the improvement of harbors; and laid rules for the relation of master and slave, which had already sprung up in the colony.\* Perhaps there could be no better picture of the condition of the settlement, the tendencies of its rulers, and the necessities of its people, than the simple enumeration of the laws which they found it convenient and proper to adopt. Indeed, during this long and peaceful period the history of the province is scarcely more than the recital of its domestic legislation, which is to be found more fully set forth in its statute books, than recorded in any history. The wisdom of these early laws is proved by the fact, that many of them are still in force at this day—some amended, and the rest abrogated, or rendered obsolete, only by the changes of society and the fluctuations of time. They are landmarks of the progress of the colony. That relating to masters and slaves is worthy of further notice—it is the first evidence of the existence of slavery in Maryland.

Of the exact date of the introduction of negro slavery into the colony there is no certainty—but it was probably at a very early period. It is said to have first appeared in Virginia, in 1620: A Dutch ship, perhaps intending to seek the Spanish islands, or hoping to find a more favorable market in the English settlements, touched at that colony, with a cargo of slaves, of whom twenty were bought by the Virginians. When the Indians, who were very numerous in the vicinity of the infant colony, "first beheld these black people, they thought them a true breed of devils, and therefore they called them, for a long time, '*Mamitto*'—a word signifying either God or Devil." "When the whites

\* Bacon, 1653-4.

first came," said an old Indian, long afterwards, delivering to the traveller the ancient tradition of his tribe, "our fathers believed they were surely gods, but the appearance, in their midst, of this new and, to them, hideous race, completely astonished them and confused their preconceived ideas of things."<sup>\*</sup> The Virginians not only studiously kept these slaves in ignorance, but avoided teaching them Christianity: it was otherwise in Maryland. In 1663, for the first time, distinct mention is made of *negro* slaves, in the laws of the colony, and it is evident, that there were already many in the province. Throughout the laws of Maryland, a strong distinction is constantly drawn between the terms "servant" and "slave." Prior to the act of 1663, many laws were passed relating to the condition of servants and apprentices, but only once is used the word "slave," in the act of 1638, "for the liberties of the people," which describes "the people," as consisting of all Christian inhabitants, "*slaves* only excepted"<sup>†</sup>—a term which is never, elsewhere, applied to any but negroes, and at present generally used to designate slaves for life. As slavery existed in Virginia, even prior to the settlement of Maryland, it is probable that it was introduced gradually, as the increasing wealth of the settlers of the new colony enabled them to purchase slaves. Only in 1671, however, an act was passed to encourage their importation.

There was another species of servant in the colony, however, of whom frequent mention is made, and who, in time became a large portion of the population. White emigrants, who were unable to bear the expenses of a voyage to the new world, or to maintain themselves upon their arrival, bound themselves to serve for a limited number of years, any one who would advance the necessary funds. In time this grew to a considerable trade. The indentures were

<sup>\*</sup> Kalm's Travels in North America, 1749.

<sup>†</sup> Bacon, 1638; Holmes' Annals, vol. 1, p. 256.

made to the captain of the ship, or some other person, and, upon their arrival in the colony, their unexpired time was sold to the highest bidder, to whom their indentures were then transferred. In the early age of the colony, they were called indentured apprentices; afterwards the general term of "redemptioners" was applied to them. These, upon the expiration of their term of service, became useful citizens, and enjoyed the same franchises as their more fortunate masters.

The very industry of the planters and the fertility of their soil, now brought unexpected difficulties, not only on Maryland, but also on the sister colonies of Virginia and Carolina. At first the high price of tobacco had led the greater portion of the people to devote their attention to its cultivation, and a greatly increased production was the immediate consequence; a fall in the price ensued, and a deterioration in the quality of the article, from careless culture, reduced its value so low, that the year's produce would scarcely supply clothes to the planters. A scarcity of corn was frequently felt, through the neglect to put out sufficient crops of that necessary grain, and the Assembly of Maryland frequently found it necessary to direct the attention of the planters to this subject, and to compel them, under severe penalties, to raise at least a certain proportion of maize in addition to their tobacco.

In 1663, the evil had become so great, that the king himself urged it upon the consideration of the colonies. There were only two remedies—a diminution of the quantity raised, or a cessation, for a time, of its cultivation. For either purpose, a joint action of the three colonies was required, and, accordingly, commissioners from Maryland and Virginia met at Wiccomocomico, to arrange the basis for the necessary treaty. It was determined at this meeting, that in the succeeding year, after the twentieth of June, no tobacco should be planted in either colony, that the Assem-

bly of Maryland should be called to ratify the agreement-- and that the governors and councils of both colonies should solemnly swear to use their utmost efforts to have the laws for that purpose carried into effect.\* This scheme, however, was not perfected until 1666, when the Assembly of Maryland passed an act prohibiting the planting of tobacco throughout the province, for one year, from the 1st of Feb. 1666, to the 1st Feb. 1667. Formal notice of this act, together with a copy of the governor's proclamation, was forwarded to Virginia by the chancellor, and the legislature of that colony immediately declared in force a similar measure, provisionally adopted by them at the preceding session. The lord Proprietary disapproved of the act of the Maryland Assembly, but his "disassent" was not signified until the November following, when the law had already produced the desired effect.

The fame of the liberty, civil and religious, enjoyed in Maryland, had already gone abroad, carrying hope into the yearning hearts of those who wore the chain of despotism. Many, of different nations, sought an asylum in her borders, and were admitted to the rights of citizenship. Thus, in 1666, an act was passed for the naturalization of several families from France, Spain, and Bohemia; and similar acts constantly recur in the proceedings of subsequent legislatures.†

Here, too, the gentle Friends found peace and refuge. In England, in Virginia, in Massachusetts and the north, the pillory and the whipping post awaited them, and, almost in sight of Plymouth Rock, the gallows was erected for them! Every where, save in Maryland, their peaceful creed was proscribed and punished as a crime. There, only, was their religious worship "held publicly and without interruption."§ "In Maryland," says Burke,|| "where the governor

\* Burke's History of Virginia, vol. 2, p. 134. † Bacon. ‡ Ib.

§ Bancroft, vol. 2, p. 237. || History of Virginia, vol. 2, p. 131.

and a majority of the people were papists and royalists, a religion and government whose spirit is thought to be hostile to liberty, and averse to toleration, they were immediately hailed as brothers, and admitted to all the rights of free men." The members of the colonial legislature and the council, many persons of quality, and justices of the peace, came together to listen to the preaching of George Fox, the zealous leader of the Quakers, while he tarried in Maryland.\* The emperor of the Nanticokes, attended by his subject kings and their subordinate chiefs, gathered around him, on the Eastern shore, to hear his words. The heir of the province, himself at a later day, to countenance the spirit of civil concord, was present at one of their assemblies. For a time, however, they were involved in difficulties with the government from their refusal to perform military duty and their rejection of oaths: but at a later period, they were entirely relieved from these trammels, and then, indeed, Maryland was to them "THE LAND OF THE SANCTUARY."

From the date of the treaty with the Susquehanna Indians, in 1652, the frontiers of the settlements had been but little molested by the incursions of the natives. The Susquehannas, once so powerful, had begun to give place to the Senecas of the five nations of New York, who penetrated through the province of Pennsylvania, conquering, and driving before them, the Indian inhabitants, and molesting the white settlers. Occasional bodies of these daring marauders struck upon the frontiers of Maryland; and it was found necessary, for a time, to maintain a body of rangers, under Captain John Allen, for their protection. In the summer of 1675, a number of murders and outrages had been committed on the people of Virginia and Maryland, along the Potomac, by a band of savages; and suspicion fell upon the Susquehannas. A joint expedition was sent by the two provinces to chastise them. The Virginia

\* 1686. Bancroft.



forces were under the command of Colonel Washington—those of Maryland under Major Trueman. On Monday, the 25th of September, the Maryland troops appeared before a fort of the Piscataways, then held by the Susquehannahs, and were met by a deputation of their chiefs, who laid the blame of the inroad upon the Senecas, who, they said, were by that time at the head of the Patapsco river on their return.

On the next morning, Col. Washington, Col. Mason and Major Adderton of the Virginia troops, joined Major Trueman, and were visited by the same deputation. They at once charged upon these Indians the murders which had been committed; thereupon Maj. Trueman, yielding to their advice, caused five of the chiefs to be bound, and afterwards put to death. They continued to affirm their innocence—and displayed, in the vain hope of securing their safety, a silver medal and some papers, which had been given them by former governors of Maryland, in token of amity, and as an assurance of protection. This severe proceeding attracted the indignation of the House of Delegates, and an inquiry was set on foot. Major Trueman was impeached, before the upper House, for the murder of the five Indian chiefs, who had come into his camp in the guise of envoys. pleaded guilty, and a bill of attainder was brought in against him. He, however, set forth such extenuating circumstances, that the House refused to pass sentence of death upon him, and, a dispute arising between the two houses, as to their respective powers in the matter, he escaped the penalty of his rashness and inhumanity.\* But the importance given to the affair, proves, at least, the strict justice of the people of Maryland in their intercourse with the natives, and the horror with which a breach of faith towards them, was viewed—a feeling little shared by any other colony of the old thirteen.

\* *Annals of Annapolis*, pp. 70-72.

Charles Calvert continued to act as governor, until the death of his father, on the 30th of November, 1675, by which event he became himself the lord Proprietary of the province. Intending to return to England as soon as possible, he convened an Assembly, for the purpose of reducing to some method the laws heretofore passed, to many of which his father had not given his assent. "A general revision took place; and those laws, which were thought proper to be continued, were definitely ascertained."\* During his administration as governor, the Assembly had effected many improvements—caused roads to be made, court houses and jails to be erected, coroners appointed in all the counties, extended the facilities of obtaining justice, and provided for the publication of the laws within the province, by proclamation by the sheriff in the county courts. In 1671, the Assembly granted to Lord Baltimore a duty of two shillings per hundred weight on all tobacco exported from Maryland; one half of the proceeds were to be applied to the defence of the province, the other for his own benefit, to repay, in some measure, his great expenditure in establishing the colony, which was estimated to have exceeded forty thousand pounds sterling in the two first years. Out of this grant, great difficulties afterwards arose.

Having thus reformed the system of laws, and believing his presence no longer necessary in the province, the lord Proprietary appointed Thomas Notely, Esq., deputy governor, during his absence, to act in the name of his infant son Cecil Calvert, as nominal governor, and returned to England in the year 1676. Upon his arrival, he found that complaints had been made against his government by certain Episcopal clergymen, who represented the province as in a frightful condition, and proposed, as a remedy, that a support should be provided for them by law.† They inveighed against him, because the Catholic priests held

\* McMahon, pp, 215.

† Ibid. 216.

landed estates in the colony for their support. Lord Baltimore simply pointed to the laws of his province, tolerating all and establishing none, and to the conditions of plantation, under which these lands had been acquired. He was advised by the committee of trade and the plantations, to whom the matter was referred, to provide a public support for the clergy of the church of England,\* he declined, and thus ended the first effort to establish the Episcopal church, by law in Maryland. Virginia had charged his government with not assisting in the defence of the frontiers—this complaint was also declared to be groundless; and Lord Baltimore, having triumphed over the enemies of his province, returned to Maryland in 1680, and once more assumed the government into his own hands. During his absence, a singular case had been brought before the General Assembly for trial: A physician named Edward Husbands was charged with attempting to poison the governor and the two houses. He met the charge with great warmth, and was sentenced to be for ever disabled from practising as a surgeon, and to receive twenty lashes on the bare back for cursing the Assembly; and bound over to appear before the provincial court, to answer the charge of attempting to poison. It is probable that Lord Baltimore, on his return, stayed these arbitrary proceedings, as he dissented from every act passed during that year, and no further mention is made of Husbands or his supposed offence.

In the following year, Fendall, already once taken in rebellion and spared by Philip Calvert, still revolving his restless projects, attempted, in conjunction with an Episcopal clergyman named Coope, to excite a rebellion among the people—they failed, and were arrested, tried and convicted—but escaped with their lives, again to disturb the peace of the province. For four years the Proprietary continued to govern the colony in person, when, in 1684, the

\* McMahon; Bancroft, vol. 2, p. 242.

† Bacon, 1674.

complexion of affairs in England seeming to demand his presence there, he appointed a council of nine deputies, of whom William Joseph was president, to direct the affairs of the province, under the nominal governorship of his infant son, Benedict Leonard Calvert; and departed from the colony, little imagining that he was about to bid adieu to it for ever. In England, he found that hostility towards the Catholics was increasing in proportion as it seemed the crown was relenting towards them. This feeling was not long in spreading to the province, and promised to be a fruitful source of disquietude. The growing wealth and importance of Maryland, too, had excited the avarice of King Charles, who began to entertain designs against its charter, and threatened Lord Baltimore with a writ of quo warranto. When he reached England, he found James II on the throne, and his province in greater peril than before. From the king, and from the enemies of the king, therefore, danger alike impended. At length, in April, 1687, the writ of quo warranto was issued, requiring him to show cause, why the charter should not be forfeited. But before the proceedings could be brought to a termination, the king himself was deposed and driven out of England by the revolution of 1688. While the charter was thus saved by the destruction of the king, the rights of the lord Proprietary were overthrown by an uprising of the people; for events, in Maryland, were bringing to a close the long period of repose and toleration enjoyed under the mild administration of the second lord Proprietary, and the dissensions, excited by the troubles in the mother country, and nourished by a sympathizing spirit of intolerance in the colony, at length broke out into open revolution.

For thirty years, religious freedom had prevailed in Maryland: all were tolerated, none were <sup>Protestant</sup> favored or preferred. Never, until the last few years, had <sup>Revolution.</sup> any distinction been made for religious creeds, and then,

only, because Lord Baltimore was compelled, by order of the king, to select his officers entirely from the Protestant inhabitants of the colony. The feeling which caused the revolution in England, did not fail, now, to extend its effects to Maryland. The lord Proprietary, upon the success of the revolution in England, immediately gave in his adherence to William and Mary, and transmitted orders to his deputies to have their accession to the throne proclaimed in the province. Unfortunately, these instructions did not arrive in due time, and, even after the new sovereigns had been acknowledged in the surrounding colonies, the authorities hesitated to act until they should receive directions from the lord Proprietary. The ill-will of the people had already been excited against the deputies, for an attempt to infringe upon the rights of the Assembly, and every measure which they now adopted, viewed through the prevailing prejudice, tended only to strengthen suspicion and confirm opposition. The settlements were filled with rumors of a dangerous character. The deputies sought to stop their circulation—they only increased ten-fold. The public arms were collected, in fear of a general outbreak; and the fear itself prepared the people for the event. At length, the unfortunate delay to proclaim William and Mary, brought affairs to a crisis.

In April, 1689, "*An association in arms for the defence of the Protestant religion, and for asserting the rights of King William and Queen Mary to the province of Maryland, and all the English dominions,*" was formed, at the head of which was John Coode, who had already been once guilty of treason and rebellion. The deputies were driven, for protection, to the garrison of Mattapani, which was immediately besieged, and compelled to surrender in August following, leaving the associators in undisputed possession of the province. The character of the leader of the rebellion may, perhaps, cast a light upon their professions of

devotion to religion, and of loyalty to the king. Coode was a man of loose morals and desperate habits: although a minister of the church of England, he was presented, by the grand jury, under the very government which he was now foremost in establishing, for atheism and blasphemy. To escape a trial he fled into Virginia, whence he frequently came back, in secret, into the province, declaring that, as he had overthrown one government, he would pull down another. His attempts, however, failed, and he was at last taken, tried, and convicted, but pardoned, in consideration of the services he had rendered during the revolution of '89.\*

The first act of the associators, after their success, was to call a convention of the people, <sup>Convention of the people.</sup> which met at St. Mary's on the 23d of August, 1689. They drew up, and forwarded to the king, an account of their proceedings, filled with accusations against Lord Baltimore and his government, which posterity has pronounced unjust. The king sustained the acts of a revolution, which was only a continuation of that which had placed him upon the throne; and the province, for a time, continued under the administration of the convention. Anxious, however, to secure the domination of their party, under the name of the king, they requested him to take the government of the colony into his own hands; and, in 1691, he accordingly appointed Sir Lionel Copley governor.

Sir Lionel, the first royal governor of the province, arrived in Maryland in the ensuing year, and, on the 9th of April, he dissolved the convention, and summoned a General Assembly, which met on the 10th of May, 1692, (O. S.) at the city of St. Mary's. Their first act was the recognition of William and Mary; their next the overthrow of equal toleration, and the establishment of the Episcopal church, as the State Church of Maryland. Every county was di-

\* McMahon, 229.

vided into parishes, and taxes were levied upon the people without distinction, for the support of the ministers, the repair of the old, and the building of new churches.\* "Thus," says McMahon, "was introduced, for the first time in Maryland, a church establishment, sustained by law, and fed by general taxation."† But matters did not rest here; persecution followed upon disfranchisement. The Catholics had already been deprived of the right of holding offices: and the new government did not wait long before it proceeded to severer measures. In 1704 an act was passed "to prevent the growth of popery," by which it was made highly penal for a bishop or priest of the Catholic church to say mass, or to perform any of their sacred functions, or for any Catholic to teach a school; and, as an inducement to children to become Protestants, power was given them in such event, to compel their parents to bestow upon them a support which might be judged sufficient for them.‡ But the harshness of these measures was not fully sustained by public opinion; and by subsequent legislation Catholic priests were permitted to exercise their functions in private houses. Out of this privilege grew a custom of erecting chapels, under the same roof, and connected with the dwelling of some Catholic family; and, there, the proscribed people gathered to enjoy, as it were in secret and by stealth, the exercise of their religion in the very land, in which their forefathers had proclaimed liberty of conscience to all men. Some of these chapels are still standing, as monuments of the intolerance of the age before the revolution of 1776, when, in the general emancipation, which that glorious struggle secured, religious liberty again became the proud and holy heritage of Maryland. But the intolerance of the established church did not spend its zeal upon Catholics alone. It had no sympathy with Protestantism that differed from itself. Dissenters, as they were called by the

\* Bacon, 1688.

† Page 248.

‡ Ibid. 244; Bacon.

Episcopalian, were deprived of the equal rights and privileges which they had enjoyed under the rule of the Catholic Proprietary—even the gentle Quaker was treated with opprobrium, and his silent meeting, for inward prayer and meditation, declared an unlawful assemblage. In 1702, however, the provisions of the English toleration act for "Dissenters," were extended to Maryland: and in 1706, relief was granted to the Quakers, or "Friends." "And thus, in a colony which was established by Catholics, and grew up to power and happiness under the government of a Catholic, the Catholic inhabitant was the only victim of religious intolerance."\* The supremacy of the "law church" over all others was still, however, maintained:

Having endeavored to prevent the increase of Catholics at home, they determined to cut off all accessions to their numbers from abroad. Laws, restraining their immigration into the colony, were passed, and frequently re-enacted, down to the revolution of 1776. These restrictions and oppressions produced their effect—many, doubtless, fled from the colony, and they continued to decrease, until, in 1758, seventy years after the Protestant revolution, according to the statement of Governor Sharpe, they numbered only one-thirteenth of the population.

The Assembly next endeavored to deprive the Proprietary of his personal rights in the province. He was still entitled to all the unsettled lands, with the right of making grants of them, to the quit rents, and certain duties or imposts, not connected with the government. Amongst these was the port duty, and the duty of two shillings per hundred on all tobacco exported from the colony. The convention disputed his claims: and the king, being appealed to by Lord Baltimore, issued a royal letter authorizing him to collect his revenues in the province; but the convention refused to submit. They threw his agents into

\* McMahon, 246.



prison. Upon taking possession of his government, Sir Lionel Copley was directed by the king to protect the rights of Lord Baltimore and ensure the collection of his dues. Darnall, the receiver-general of the Proprietary, however, still met with opposition, and it was not till the matter was expressly decided by the king and council in favor of Lord Baltimore, that the Assembly yielded up to him his port and tonnage duties, and entered into a compromise in relation to the issuing of land patents.\*

From the Proprietary, the Assembly turned to the old city of St. Mary's. In that portion of the province, the Catholic population principally dwelt: they had adhered to the Proprietary in all his struggles, and the Assembly determined to punish them by removing the seat of government from their capital. There was another reason, which necessarily must have had great weight in producing the change. The settlements had extended far into the interior, and along the shores of the bay: St. Mary's was on the verge of the colony, and was difficult of access to the members of the legislature, and those who had business before that body and the courts. In vain St. Mary's prayed and protested; her existence depended upon the possession of the seat of government, and her authorities offered to provide a public conveyance to run from Patuxent, daily, during the sessions of the Assembly and the courts, and, weekly, for the rest of the year. The Assembly rejected their prayers, and laughed at their proposals; and the seat of government was removed to "the townland at Proctor's," or Providence, which was thenceforth called Annapolis. St. Mary's began to sink at once, for the removal of the government officials was a sensible diminution in so small a place; soon it lost the rank of a city—its population dwindled away—its houses fell to ruin. At length it became deserted—and "in the very State to which it gave birth, and the land it

\* McMahon, 247

redeemed from the wilderness, it now stands a solitary spot dedicated to God, and a fit memento of perishable man."<sup>\*</sup> Yet, in its ruin, it is a holy place, sacred to the proudest memories of Maryland—for it was the cradle of her freedom of conscience and her civil liberty. Its successor, rising upon its ruin, and mocking its destruction, has to a certain extent shared its fate. It has become dependent for its existence upon the seat of government, and the suggestion of its removal or the transfer of the sessions of the court of appeals, calls forth at once the same feelings, that were exhibited by the unfortunate city of St. Mary's.<sup>†</sup> No effort was spared to secure the growth of the new town; a portion of the population of the old, doubtless, followed the government at once to Annapolis, which, in 1708, was raised to the rank of a city, as the ancient capital was sinking down into a deserted village. Four or five years after the removal, it contained about forty houses—a State house and free school of brick, and a brick church was soon after erected.

A controversy arose about the incorporation of Annapolis, in which the Assembly displayed their usual firmness. Governor Seymour, having failed to obtain from them a charter for the new city, in 1708 granted one in his own name, claiming the power under the great charter of Maryland, which, undoubtedly, was possessed by the Proprietary under that instrument, but could, in no manner, appertain to a royal governor who ruled in defiance of its provisions. An election was, accordingly held in the new city for two delegates to represent it in the approaching Assembly. At the opening of the session, these deputies attempted to take their seats—but were immediately expelled from the

<sup>\*</sup> McMahon, 253-5.

<sup>†</sup> Witness the debate in 1847, upon the resolution to remove certain documents to the rooms of the Historical Society, Baltimore, from Annapolis.



House, on the ground that the charter had been illegally granted. The lower house was summoned before the upper by the governor, who there endeavored to conciliate them. But they were inflexible; and the governor dissolved them. A new Assembly was called: but their first act was to demand, whether the governor had received any authority from the queen, other than his commission, to erect a city, and to call for its exhibition. At length a compromise was effected, and the Assembly passed an act to confirm the charter with certain specified restrictions.\*

In 1691, Sir Lionel Copley was succeeded by Francis Nicholson, who was principally active in securing the success of the established church, and promoting the cause of education. He was first commissioned in 1691, but being then absent in England, on the death of Copley, the government was assumed by Sir Edmond Andros, and exercised by him until the arrival of Nicholson in 1694.

The French war had already broken out on the frontiers of the northern colonies, and, the growth and strength of Maryland and Virginia, induced the royal governors to seek assistance from these colonies. This led to the famous scheme of "crown requisitions," by which each colony was required to furnish certain proportions of men and money to aid in the defence of New York, the chief point of assault. The people of Maryland generally disregarded, or disobeyed, these demands:—which were only, in effect, an indirect mode of taxing them without their own consent, and an attempted introduction of that principle, which eventually brought on the revolution of 1776. Sometimes, however, when the danger was pressing, they furnished the assistance required—on one occasion, being unable to raise the sum demanded, 133*l*., it was advanced by Governor Nicholson himself. Thomas Tasker, the treasurer of the State, was subsequently despatched with another sum to New

\* McMahon, 255; Annals.

York, with instructions to represent the difficulty with which the money had been raised, the inability of the people to meet further demands upon them, and the necessity of providing for the defence of their own border. Yet, in the next century, this system, continued for a long time, was productive of a great good. It taught the colonists to rely on their own resources, to know their extent, how to husband them, and the great power which they possessed when combined together. During the government of Nicholson, several beneficial improvements were effected. In 1695, a public post was established: the route extended from the Potomac, through Annapolis, to Philadelphia. A number of offices were designated on the route; and the post-man was required to traverse it eight times a year,—to carry all public messages, and to deliver letters and packages for the inhabitants, for which services he received the salary of fifty pounds sterling a year. This rude system was only sustained for three years. In 1710 the English government found it necessary to establish a general post throughout the colonies. In 1696 the Assembly passed an act for the establishment of an academy at Annapolis, to be called King William's School; and in the succeeding year, through the efforts of the governor, a portion of the royal revenues were set apart for the purchase of books and the foundation of a public library for the institution. Many of the works thus procured by the liberality of the crown are still preserved in Annapolis.\*

In 1704, the State House was destroyed by fire, and the legislature appropriated the sum of one thousand pounds sterling for the erection of a new one, holding their sessions in the mean while in a house rented at twenty pounds a year, from Col. Edward Dorsey. The new building was of brick, and was finished in 1706. In the conflagration, many of the records of Anne Arundel county were destroy-

\* Annals of Annapolis, 80, &c.

ed, and a special commission was appointed to hear and determine all disputes concerning land, in order to remedy the loss. Their decisions, upon all matters brought before them, were recorded, and form a portion of the land records of the county.\*

During the twenty-five years of royal dominion in Maryland, there is little remarkable in its history, beyond the boundary disputes, and the encroachments which the crown was already beginning to make, upon the liberties of the people. While the colony was poor and weak, it was permitted to struggle on, fostered by the lord Proprietary, but neglected by the crown: no sooner had it become rich and populous than the cupidity of England was aroused. The government had already been wrested from its rightful owner,—but nothing less would serve her rapacity than the destruction of the charter, and the reduction of Maryland under the complete control of the British parliament. Nor was it the only victim: the design extended to the other colonies—one government was to be erected on the ruins of their provincial establishments, and a royal commissioner placed at its head. In 1701, a bill was introduced into parliament for the destruction of the charters of Massachusetts, New Hampshire, Rhode Island, Connecticut, the Jerseys, Pennsylvania, Maryland, and the Bahama islands, and to sustain it, an effort was made to obtain evidence from the colonies against their present systems. An order was addressed to the governor of Maryland to collect testimony concerning the abuses of the lord Proprietary's government, but the insignificance of the charges which were gathered, proved the justice of his administration and the opposition of the people to the proposed change. They, however, did not hesitate to allege that their neighbor, Pennsylvania, was a mere receptacle of runaway slaves, and Jersey, the resort of pirates. The agents of the several colonies were heard

\* Bacon, 1705, ch. 3.

against the measure before parliament, and, so successful was their defence, that, although it was favored by the crown, it could not be carried through. The ministry, however, did not despair. In 1715, when the government was surrendered once more to Lord Baltimore, another effort was made against the charters: again the colonies united in protesting and remonstrating against the injustice; and again their united energies preserved for them the constitutions which they loved.\* In these petty struggles, was planted the germ of that which led to the independence of the nation. In them, the colonies learned—that in “union there was strength.” Their stormy infancy prepared them for a vigorous and unconquerable manhood.

Whilst the consequences of the royal government were beneficial in this point of view, it tended rather to restrain the internal progress of the colony. In 1671, its population had already risen to nearly twenty thousand: at the close of the royal domination, forty-four years after, it had only reached fifty thousand—a large portion of which increase must be set down to the period before the Protestant revolution in 1688–9. After that event, the same inducements for emigration no longer existed—the Catholic, instead of toleration found oppression, and the “dissenter” met with no encouragement to cast his lot within the borders of Maryland. Lands were no longer given as a bounty, and the fluctuations of the tobacco trade, and the distress occasioned by the neglect of other agricultural pursuits, not only discouraged the arrival of new settlers, but induced the departure of many of the old inhabitants, to seek a home in some more prosperous land. To add to these misfortunes, in 1694–5, an unusual scarcity prevailed, and a destructive disease made its appearance among the stock of the farmers and planters. In those two years, it was ascertained that at least 25,429 cattle and 62,375 hogs

\* McMahon, 272.

† Chalmers.

were destroyed by this plague, though its ravages are supposed to have extended even beyond these large numbers. Such an event was a heavy blow upon the colony, and the aggregate value of the property thus lost, must have been severely felt in so small a community. But their misfortunes did not stop here—two years later, a violent and raging mortality suddenly made its appearance among the people of Charles county, during which, the Catholic priests “went about from house to house of their own accord,” as the petition of the Assembly declared, comforting the sick and administering the sacraments to the dying. The matter was brought before the Assembly in 1697, by a letter or petition written by a minister of the church of England, and it was resolved without a dissenting voice—such was the bigotry of the times—that the governor should be requested to issue a proclamation prohibiting “such extravagances and presumptions.” Thus it seemed that the efforts of a few priests to alleviate the dying hours of the sufferers created more alarm, than the disorder itself.

Heretofore the colonists had been without manufactures of their own, relying entirely upon the mother country for their supply: but in 1697, urged by the difficulty of procuring goods from England, an effort was set on foot in Somerset and Dorchester counties, to make woollen and linen cloths: but every attempt of this kind was closely watched and suppressed by the British government, which wished to compel them to consume the manufactures of their own people, as a source of profit and a means of securing their dependence upon them. Therefore, these efforts to supply a domestic manufacture, either failed at once, or languished out a sickly existence. Indeed, during the administration of the six royal governors, Copley, Andros, Nicholson, Blackistone, Seymour, and Hart, the hand of the crown seemed to weigh like an incubus upon the prosperity of Maryland. Extending through one quarter of a

century, it was yet a period of inaction, during which the limits of the settlements were but little advanced—the number of the population but feebly increased; and the amount of foreign trade and domestic resources, if not diminished, at best only remaining stationary. While on the other hand, religious liberty had taken its flight from the province; and with the overthrow of equal toleration, and the establishment of a church, by law, which embraced perhaps less than half the population of the colony, was destroyed that true civil freedom which cannot exist for the body while the spirit is enchained. These persecuting laws were but indices of the feeling of the people, who held the power in their hands, and fall short of the actual persecutions which the proscribed Catholics were compelled to endure. The brotherly spirit of the law of 1649 had departed from the colony;—strife and controversy had awakened the bitterest feelings of hostility on the part of the Protestants towards the Catholics, who were even excluded from their society and association. “At one time, they were not permitted to walk in front of the court house, and were actually obliged to wear swords for their personal protection.”\* It was this feeling, which made the people willing to abandon the defence of their hitherto cherished charter, and seek a governor from the hands of the crown; trusting their liberties rather to a Protestant monarch, whom they did not know, and who was of a strange race, than to that Lord Baltimore, who had lived so many years in their midst, ruled them so mildly and parentally, and who should have been endeared to them as the grandson and the son of their founders. But the cause of the royal dominion was about to be removed. Charles, Lord Baltimore, at length having reached the mature age of eighty-four years, expired on the 20th of February, 1714, full of honor and of days.

\* McMahon.



## CHAPTER V.

### THE RESTORATION OF THE PROVINCE.

UPON the decease of the lord Proprietary, his title and his province descended together to his son, Benedict Leonard Calvert. Seduced by ambition and the efforts of the Queen of England;\* and sustained against his father's opposition by a royal pension, he had abandoned his faith to advance his fortunes; he only lived long enough to be acknowledged lord Proprietary. By his death, on the 16th of April, 1715, the title to the province devolved upon his infant heir, Charles Calvert, who, with his brothers and sisters, was educated in the Protestant religion. There being no longer any obstacle on the score of religion, the government of the province was restored to him, and a commission issued in his name by Lord Guilford; his guardian, to Harri, the last royal governor, continuing him as the representative of the Proprietary. The restoration produced but little change in the province. Scarcely, however, had it been consummated, before the second attempt against the charters of the several colonies was made in parliament. A petition was immediately presented, in the name of the youthful Lord Baltimore, stating that he, and his brothers and sisters were Protestants, and that, upon their revenues from Maryland, they depended for their support, and praying that his province might be spared. The other colonies resisted, and successfully, as has already been detailed, and the project was abandoned.

The struggles of democracy.

The first legislature, which assembled under the new Proprietary, passed a body of laws, still further strengthening the groundwork of their liberties,

\* Chal. 2, 67.

many of which are in force at this day: but there was one act of a contrary tendency, which the great Revolution abrogated. It introduced into Maryland all the test oaths and disabilities which were enforced against conscience in England.

For a period of forty years, the colony enjoyed almost undisturbed tranquillity. It had no greater troubles than contests between the governor and council, who formed the upper house, and the delegates of the people in the lower: and its only warlike expeditions consisted of aids of men which it occasionally gave to assist the northern provinces. The first controversy arose about the extension of the laws of England to the colony. The Proprietary desired to limit their introduction, as interfering with his own legislative rights, as well as those of the people: while the people themselves demanded the adoption of all such laws as might be beneficial to them, or which might tend in any way to extend or secure their rights. A war of petitions and protests, resolutions, dissents, addresses and proclamations, ensued. For ten long years the struggle continued, and the sturdy commoners did not cease their efforts, until, in 1732, they had grasped the substance of their demands. The next step in the war of freedom—for the war of freedom commenced in Maryland, long before recourse was had to arms, and the victory upon the battle field was only the final confirmation of the rights which had been maintained and enlarged for a century before—was in relation to the revenues of the Proprietary.

In 1739, the Assembly resolved that the duties levied by the Proprietary were unjust and oppressive: and protested against the settling of officers fees by proclamation by the governor, and the creation of new offices, with new fees, without the consent of the Assembly. They passed a bill for the appointment of an agent in London to carry their grievances before the crown. It was rejected by the upper

house. Determined not to be silenced, the lower house selected a committee of their own body to perform the same duty, at the same time, authorizing them to employ an agent in London in its execution, thus avoiding the possible interference of the upper house. But the governor's party fell upon a scheme to counteract this design. The Assembly was prorogued: and it was immediately contended, that the power of the committee ceased with the existence of the body from which it was derived, and of which the committee itself was part. Baffled for the time, the popular party did not cease their exertions: and at the opening of the next session of 1740, they renewed their opposition. They were in part successful—and obtained the right of full access to the records which had been before denied them—appointed their agent and sent him full instructions and testimony to sustain his applications.\* Some of their demands were granted—but the tonnage and tobacco duties continued a standing subject of complaint and resistance, until the "great struggle" closed all controversies and removed all grievances.

*The Indians.* From the earliest period, the government of the colony had pursued the peaceful and just policy of extinguishing by purchase the title of the Indians to the lands within the limits of the province. Where the affection of the natives for the graves of their fathers proved stronger than their cupidity, they were permitted to remain, and protected in the unmolested enjoyment of their hunting grounds. Thus, in 1698, an act was passed, and renewed in 1704, to assure to Panquash and Annotoughquan, two kings of the Nanticokes, and their subjects, the possession of their lands in Dorchester county, "it being most just," says this equitable law, "that the Indians, the ancient inhabitants of this province, should have a convenient dwelling place, in this their native country, free from the encroachments and op-

\* McMahon, 283.

pressions of the English; especially the Nanticoke Indians, in Dorchester county, who for these many years have lived in peace and concord with the English, and, in all matters, in obedience to the government of this province."\* As an acknowledgment of the authority of Lord Baltimore, they were required to pay him, annually, the nominal tribute of a single beaver skin. Thus it appears that even the warlike Nanticokes had yielded to the mild influence of the colonial government, and become peaceful dwellers under its protection. But the red man cannot long remain in the vicinity of the white. By degrees they began to remove, and in 1748, the great body of them departed from the Eastern shore to Wyoming and Chemenk, carrying with them the disinhumed bones of their fathers, to deposite them in other graves in their new settlements.† Before their final departure, however, their friendly relations with the whites appear to have been somewhat disturbed. Probably instigated by the Senecas, they entered into a conspiracy with them to rise and massacre the settlers. This attempt arose out of the dissatisfaction of the Senecas at the failure of a claim which the Six Nations had made, to the lands west of the Susquehannah, in Pennsylvania and Maryland. It was discovered by the governor of Pennsylvania, and by him communicated to the authorities of Maryland, who promptly placed the frontiers in a state of defence.‡ The alarm which had been excited in the colony by this unexpected, and probably exaggerated affair, soon subsided; but it served to warn the government to adhere to its early policy.

The tribes of the Six Nations were the most powerful confederacy of Indians on the continent, and, to prevent any further difficulty with them, it was determined to extinguish their claims to territory in Maryland by purchase.

\* Bacon, 1704, ch. 58.

† Holmes' Annals, vol. 2, p. 37—note.

‡ Burke, vol. 3, p. 106

The governor recommended this subject for the consideration of the Assembly, at the session of 1742. They concurred in his views; but a contest immediately arose, as to the power of appointing commissioners to effect the proposed arrangement. The Assembly asserted their right to select a portion, and named Dr. Robert King and Charles Carroll, to act in conjunction with those appointed by the governor, and laid down certain instructions for the guidance of their conduct. Governor Bladen considered this as an usurpation of his powers, and refused to confirm their proceedings. The House remained firm, and the negotiation was suspended. Having failed to bring his opponents to subjection, Gov. Bladen at length, in 1744, appointed commissioners, on his own responsibility, without reference to the action of the Assembly; and a treaty was concluded by them with the Six Nations, in conjunction with the representatives of Virginia and Pennsylvania, at Lancaster, in Pennsylvania; whereby, in consideration of the payment of three hundred pounds current money, they agreed to relinquish all claim to any territory within the boundaries of Maryland.

*Internal improvements.*

The building of towns and cities was a favorite project in early Maryland. A number were made by acts of Assembly,\* though few of them ever grew to any importance. In 1729, Baltimore the great emporium of the State, was first laid out on the lands of Charles Carroll, in sixty lots by commissioners appointed by the legislature; and in 1732, it was increased by an addition of ten acres, east of the falls, on the lands of Edward Fell, whence the name of Fell's Point, still retained by that portion of the city. The advantages, which it possessed in a commercial point of view, soon began to draw population and fix enterprize: and while the countless other towns erected by the legislature, covering almost the entire bay and rivers'

\* Bacon, 1683, ch. 5; 1684, ch. 2; 1686; 1716, ch. 14, &c.

shores, either remained unsettled or soon died away, it grew and flourished. For a time, the town at Elkridge landing contended with it for the commerce of the northern part of the colony, and was a great tobacco mart: but the superior advantages of Baltimore soon enabled it to surpass its rival. In the meanwhile, Annapolis had continued to increase, and being the seat of a rich and aristocratic government, drew around it the wealth and fashion of the province. There, the elegant arts found patronage, and literature began to spring up. As a testimony of its advancement, it could boast in 1745 the earliest and long the only newspaper printed in the colony. The first number of the "Maryland Gazette," for that was its name, was issued on the 27th of January, 1745, by Jonas Green, who had been appointed printer to the province in 1740. This ancient paper continued to be published by the descendants of its founder until 1839, in which year it was at length discontinued. A printing press, however, had been established in the colony as early as 1726, for the purpose of printing the laws and public documents, which, prior to that date, had been done at Philadelphia, by William Bradford.\* The wealth of Annapolis is still evidenced by many of its venerable dwellings, bearing the mark of age upon them, yet displaying in their elaborate decorations the taste and resources of their original owners. She was in truth, at one period "the Athens of America."†

After Baltimore, of the new towns, the most important for its subsequent growth, was Frederick,‡ the county town of Frederick county—situated in the rich and fertile valley, watered by the Monocacy river. It was laid out in September, 1745, by Mr. Patrick Dulany—its streets were intended to run due north and east, but from the clumsiness

\* Holmes' Annals, vol. 1, p. 539.

† Annals; McMahon.

‡ So named after Frederick Calvert, son, and afterwards successor, of Charles, Lord Baltimore.

of the wooden instrument used in the survey,\* the object was not accomplished. In 1748, on the formation of the new county of Frederick, it was made the county town; and from that time continued to increase in wealth, population and influence. It is now the second city in Maryland. Another important town was given to the State by Frederick county, though it has again been lost to her: whether it will seek to return to the protection of the mother that gave it birth and fostered it, remains yet to be seen. Georgetown, now in the District of Columbia, ceded to the United States by Maryland, was laid out under an act of Assembly, passed in 1751, in eighty lots, comprising sixty acres of land.† An inspection house for tobacco already existed there, and the new town at the head of navigation on the Potomac, possessed advantages which soon gave it strength and life.

Military affairs.

The requisitions, which had heretofore been made upon Maryland by the crown, had been confined to assistance to the northern colonies: but a great expedition was contemplated in 1740 against the Spanish dominions in the new world. To meet the expense of raising and equipping five hundred volunteers, the number assigned to Maryland, the legislature appropriated the sum of twenty-five hundred and sixty-two pounds: but this being found insufficient, in a subsequent session of the same year, five thousand pounds were voted, and an indemnity granted to the owners and captains of the vessels which might transport the troops to the place of rendezvous, in the islands, from the prescribed penalties, should there be indentured apprentices among them.‡ Every colony north of Carolina was called on for its quota of men—none refused.§ At Jamaica, the place of rendezvous, in the beginning of the year 1741, were assembled twenty-nine ships of the line, and eighty smaller vessels—manned by fifteen

\* The Key. 1798.

† Bacon.

‡ Ibid.

§ Bancroft.

thousand sailors, and bearing an army of twelve thousand soldiers completely armed and equipped—the noblest force up to that period ever gathered on those waters. And yet this mighty armament was destined to misfortune. The land force was under command of Wentworth, the naval under Vernon—the one, weak and irresolute, the other, rash and impetuous; and their divided councils brought defeat and calamity upon both. They attacked Carthage, one of the strongest of the Spanish towns, and captured several forts, but were repulsed in the last assault with terrible destruction. Sickness raged throughout the fleet and camp; men died in crowds, and were cast from their beds into the sea. In two days, the effective force on land, dwindled down from six thousand six hundred, to three thousand two hundred men. Abandoning the enterprize in despair, they demolished the fortifications which they had captured, and retired, with the remnant of their forces, from the place which had proved so disastrous to them. What share the Maryland forces bore in the expedition is not known, but it is said that nine out of ten of the colonial levies perished. The fleet returned to Jamaica in November, after an absence of nine months, during which it is computed twenty thousand men had lost their lives.\* Yet the colonists seem not to have been dispirited by the disastrous result of this powerful armament, and, on the 26th of June, 1746, the Assembly voted another supply of four thousand five hundred pounds, to raise a body of men to aid in the expedition against Canada.† The requisition was met with promptness, and, before the summer had passed, three companies, raised in the province by Cpts. Campbell, Croft, and Jordan, sailed from Annapolis, “with cheerful hearts, in high spirits and all well clothed and accoutred, to join the main body of the forces.”‡ In November of the same year, a further appropriation of eleven

\* Bancroft.

† Bacon.

‡ Annals of Annapolis.



hundred pounds was made to pay the additional expenses of this volunteer force.

Governors  
from 1715 to  
1753.

In 1751, Charles Lord Baltimore died, having ruled his province, in person or by his governors, for the space of thirty-six years:—an era marked by general internal peace, and increasing prosperity, and full of irresistible testimony to the unyielding spirit of the people, in defending their established rights, and their zeal, in the acquisition of new ones. During this long period, seven governors presided in the administration of provincial affairs, the lord Proprietary remaining in the colony and governing in person only during two years. John Hart was commissioned in 1715—Charles Calvert succeeded him in 1727. Benedict Leonard Calvert, brother of the lord Proprietary, was appointed in 1727, but, being compelled by ill health to return to England, Samuel Ogle was named to replace him. In 1733, Lord Baltimore himself, finding his presence necessary in the colony in relation to the disputed boundary with Pennsylvania, arrived in Maryland, and assumed the government in person. Upon his return to England, two years after, he placed it again in the hands of Mr. Ogle. In 1742, Thomas Bladen was commissioned, and continued to rule the province until 1747, when Mr. Ogle was for the third time appointed. He continued in office two years after the death of Lord Baltimore.

New coun-  
ties.

In the period occupied by these seven administrations, under the dominion of the lord Proprietary, the growth and prosperity of the colony received a new impulse. It had increased more rapidly in that time, than during the royal administration. Since 1660, seven new counties had been laid out, and, of these, three were erected before the overthrow of the Proprietary government by the Protestant revolution—two only during the long and barren royal domination, which succeeded that event—and two under the restoration. Many of the counties, formed

in these early times, were changed in their limits and extent, by subdivision, or alteration by subsequent legislation. Somerset was erected by the governor's order of the 22d of August, 1666; Dorchester by the legislature, in 1669; Cecil in 1674, by the proclamation of Governor Charles Calvert; Prince George's by act of Assembly, in 1695; Queen Anne's, in 1706; Worcester, in 1742—though a county of that name had been formed as early as 1672: but the whole of its territory, lying within the present limits of Delaware, was lost to Maryland when the boundary of that province was adjusted. Frederick county, the richest and most populous in the State, was erected in 1748 out of portions of Prince George's, Anne Arundel and Baltimore, and originally included the whole territory north and west of these counties. From this time to the revolution, two other counties, Harford and Caroline, were laid out by acts of the Assembly, at the same session of 1773.\* Frederick county still retains her old pre-eminence, in wealth and population, although three new counties, and part of a fourth, have been formed out of her ancient limits. Montgomery and Washington were carved out by the Convention of 1776. Alleghany was erected out of part of Washington, in 1789: and, youngest of all the counties of the State, Carroll, in 1836, cut off a large tract from Frederick as well as from Baltimore county.

The population of the province had increased rapidly. In 1748, the number of inhabitants was estimated at 130,000 souls, of whom 94,000 were whites, and 36,000 blacks. In 1756, five years after the death of Charles Lord Baltimore, it had reached to 154,188, of whom 107,963 were whites and 46,225 black, being an increase of 24,188 in eight years.† Along with this extension of population had grown up the internal resources of the province. The people were always desirous of

Population  
and manu-  
factures.

\* McMahon.

† Holmes makes it in 1755, 108,000.

developing the natural riches of their soil, both mineral and agricultural, and had, already, endeavored to rear up, and encourage, domestic manufactures. Even prior to the establishment of the linen and woollen manufactories in Dorchester, nearly every family produced a sufficiency of *homespun* articles for its common use, and for the clothing of the servants and slaves; but the jealousy of England prevented any successful effort to pursue this policy further. The legislature, however, ventured to impose a duty upon the exportation of raw hides, leather and old iron, for the protection of tanners, shoemakers and smiths. Grants of lands were made to those who undertook to erect water mills, to encourage the making of flour for exportation. Abundance of iron ore was found in the province, which could be worked to advantage, but the English government, to insure the preference to its own iron, offered the payment of a bounty upon the importation of the metal into the colony. The legislature, to counteract the effect of this measure, in 1719, ordered that a grant of one hundred acres of land should be made to every one who would erect a furnace, or forge—the good result of this step was evident in the erection of a number of works, of which there were already, in 1749, eight furnaces and nine forges. Large quantities of wood land, in addition to the bounty grants, were taken by their owners. As early as 1742, copper works were in operation in the colony, and, in that year, the Assembly to encourage their proprietor, Mr. John Digges, in his undertaking, relieved all the laborers employed at his works from levy for seven years, and from the duty of working upon the public roads and bridges, and attending at musters.\* The making of wine was attempted, and successfully, to a certain extent: it was similar to Burgundy in its taste and quality, and seems to have gained a reputation beyond the borders of the State. Burnaby, who visited

\* Bacon.

the middle colonies in 1748, says that he drank some Maryland wine of Col. Tascoe's raising, at the table of Governor Hamilton, of Pennsylvania, and "thought it not bad." Wheat and Indian corn were largely exported, but the great staple of Maryland trade was tobacco, which had swelled to such importance, in 1736, that one hundred and thirty ships were employed in it: and in 1747, not less than fifty thousand hogsheads were exported. The average exportation, however, was about thirty thousand hogsheads.\*

In each county, free schools were established, <sup>Schools and Churches.</sup> supported by general taxation. There were between forty and fifty parishes in the colony, and the clergy of the established church were well provided for by law; a tax of thirty pounds of tobacco per head was levied on all titheables of the parish for their support: the proceeds of which, in not a few parishes, amounted at that day to three hundred pounds sterling, or about fifteen hundred dollars per annum. They were presented to their livings by the governor, and were under the jurisdiction of the Episcopal bishop of London,† who governed them through a commissary, appointed by himself and resident in the province. This system was first introduced in 1692, and Thos. Bray, the commissary, then inspected and arranged the church affairs of the colony. At that period, the parishes were only thirty in number, and but sixteen of these were supplied with clergymen. Dr. Bray appears to have been an energetic and zealous man: he procured the erection of several additional chapels, and caused the people of the different parishes to be supplied with books of Common Prayer and practical devotion.‡

During this period, the currency was in great Currency. disorder. The sudden depression of the prices of tobacco frequently drew out the specie of the colony to pay for the manufactures, which were imported in large amounts; and

\* Burnaby.

† Ibid.

‡ Holmes, vol. 1, p. 443.

even the bounty offered by the government for the introduction of gold and silver failed, as such efforts always must fail, to remedy the evil. An issue of paper money, or government bills of credit, was resorted to; but this became depreciated at one period even to half its nominal value. Yet it was persisted in, in spite of the experience of its inefficiency, and by a single law in 1733, an issue of ninety thousand pounds was authorized. A portion of this large sum was ordered to be expended in the erection of a governor's house, and of county jails; the rest was thrown into circulation by loans and otherwise. To redeem these bills, a tax of one shilling and three pence was laid upon every hogshead of tobacco exported; and the proceeds of this impost, together with the interest received by the trustees on the loans, were placed in the hands of trustees in England, to be invested in stock of the Bank of England. They were made redeemable in thirty-one years. It was an experiment to supply by means of a government bank paper, the drain of specie from the province. The bills were made a legal tender in the payment of all debts and fees, "clergy's dues and tobacco for building and repairing churches excepted."\* To remedy the embarrassments to the internal trade, from the fluctuation of the value of bills of credit, in 1732 the legislature made tobacco a legal tender, at one penny per pound, and Indian corn at twenty pence per bushel†—a striking evidence of the distress, to which the deranged condition of the currency had reduced the province. In addition to the difficulties which this condition of internal affairs entailed upon them, the government of the colony were deeply occupied, throughout all this period, with the boundary disputes.

The Bound-  
ary disputes.

In the charter of no colony were the boundaries more distinctly laid down, than in that of Maryland, and yet no colony has been subjected to greater

\* Bacon, 1733, ch. 6.

† Holmes, vol. 1, p. 553.

difficulties about limits, or been robbed of larger or more valuable territory. Its extent was marked out in the charter by five lines,—beginning at a point on the Chesapeake, called Watkins' Point, near the river Wighco, and running east to the ocean,—then, by the Delaware Bay, to that portion of the bay under the 40th degree,—then, by that degree, due west, until it reached the meridian of the first fountain of the Potomac,—then, by that meridian, to the first fountain: and lastly by the southern shore of that river to the bay, and across to Watkins' Point. The first controversy was natural enough: it arose with Virginia, as to the actual position of Watkins' Point. This colony had, from the first, denied the validity of the charter of Maryland, and claimed the whole territory included in it as her own; but she abandoned her pretensions by the treaty of 1658. She, however, continued to encroach upon the limits of that charter, by her location of them. She had commenced settlements upon the tongue of land now forming Accomac and Northampton counties. To secure the footing of Maryland, Governor Calvert, in 1661, issued a commission, to Edmond Scarborough, John Elzey, and Randall Revel, to make settlements and grant lands, on the Eastern shore, in the name of the province. The terms offered were favorable, and, within a year, the number of tithables at Manokin and Annessex, reached fifty. They succeeded in forming a treaty of amity with the emperor of the Nanticokes. The Virginians, however, soon became restless; and Scarborough, who was the surveyor general of that colony, demanded that the new settlers should submit to their authority. Meeting with opposition from Elzey, he caused him to be arrested in Accomac. Having extracted an equivocal promise of obedience from his prisoner, he released him; and, entering the settlements in a hostile manner, succeeded in compelling a partial submission. Elzey immediately placed the affair before Gov.

Calvert, and demanded aid to enable him to repel the outrage; but that peaceful officer preferred representing the transaction to Governor Berkeley of Virginia, who promptly disavowed the whole proceeding. The negotiations which followed, terminated in the appointment of a commissioner by each government to ascertain the true position of Watkins' Point, and to mark the boundary between the possessions of the two colonies on the Eastern shore. Philip Calvert was named on the part of Maryland, and Edmond Scarborough on the part of Virginia. They finally adjusted the dispute on the 25th of June, 1668; and the line was distinctly indicated, and exists as the present boundary of the two States.\*

Delaware  
and Pennsylv-  
vania. The next dispute, in order of settlement, was that by which the province of Delaware was lost to Maryland. The English having made the first discoveries on this portion of the North American continent, claimed the whole territory. In despite of the right which they had thus obtained by the laws of civilized nations, the Dutch began settlements at New York, in 1628-9—and, together with the Swedes, at a later period, commenced colonies on the Delaware, principally on the eastern side. A controversy immediately sprung up between these two nations, which resulted in the final subjection of the Swedes, in 1655. In the meanwhile, however, the charter of Maryland was granted, and the settlement at St. Mary's made: and, if there were any virtue in grants at all, Lord Baltimore was clearly entitled to the possession of Delaware, which the Swedes and Dutch had occupied in disregard of the rights of England. In 1642, a small colony of Marylanders attempted to make good these rights, by settling on the Schuylkill, but were compelled to abandon the country by their opponents. Too much engaged at home, to give due attention to this distant border,

\* McMahon.

the colonial government took no steps to assert their claims until the reduction of the Swedes by the Dutch and the union of both into one colony. Then, Col. Nathaniel Utye was despatched, in 1659, to the Delaware settlements, to notify the inhabitants that they were seated in his lordship's territory, without permission; and to deliver their authorities a written command, from the governor of Maryland, to depart from the limits of the province. He was, at the same time, ordered to inform the settlers, that favorable terms would be granted to them, upon submission to the lord Proprietary.

The demand was not only refused; but the governor of New York, Peter Stuyvesant, at the close of the year despatched two commissioners to Maryland, with instructions to insist upon the rights of the Dutch to the settlements upon the Delaware. Arguments on both sides were used in vain: and the envoys having received and rejected a new demand of submission, closed the negotiation and returned home without having effected any thing. Entertaining a doubt whether the Dutch were really trenching on their limits, and having no hope of assistance from the other colonies, in case of open hostilities, the government deferred any further action until the advice of the lord Proprietary should be obtained, and it should be ascertained by actual observation, whether the settlements at Newcastle were within the 40th degree. An agent was, at length, despatched to Holland to represent the affair to the States General, which directed that the settlers should be withdrawn from about Cape Henlopen; but refused to abandon the more northern posts. The Dutch were, however, about to be supplanted by more dangerous adversaries. They had commenced to infringe on the New England provinces, and it was determined to reduce them to subjection to the British government. In 1664, Charles II granted to his brother, James, duke of York, all the territory lying between Con-



necticut and the eastern shore of the Delaware; and an expedition was immediately fitted out to conquer these possessions. In September, New York surrendered to Gov. Nichols, while the settlements on the Delaware were given up to a detachment under Sir Robert Carr, and the inhabitants of both were admitted to the rights of English colonists. New Jersey was granted, by the Duke of York, to the lords Berkeley and Carteret.

William Penn soon after became interested in this province, and, in the course of his connection with it, learning the richness of the country west of the Delaware, he determined to make application to the king for a grant of it. The petition was laid before the duke of York's secretary and the agents of Lord Baltimore; and at their request, the grant was so made as not to infringe upon Maryland. The lines were marked out by lord Chief Justice North. That bordering Maryland, was "a circle nine miles around Newcastle to the beginning of the 40th degree of latitude," and then, by the 40th degree, westward. To ascertain this degree, Markham, the agent of Penn, went to the province, and was met by Lord Baltimore at Upland, now called Chester, where; upon actual observation, it was discovered that the 40th degree, instead of being in the vicinity of Newcastle, extended near to the Schuylkill, making the boundary described impossible. The conference was therefore fruitless; and Penn set about obtaining from the duke of York a grant of the Delaware settlements, which his agents, in conquering the possessions of the Dutch, had seized upon and continued to hold in spite of the claims of Lord Baltimore. At length, the duke, in 1682, conveyed to him the town of Newcastle, and the territory twelve miles around it, and extending even to Cape Henlopen,—an act equally dishonest and disgraceful in both—the one giving that which he knew was the property of another,—

the other accepting a gift from him who, he knew, could not rightfully bestow it.

Penn., having thus endeavored to strengthen his position, obtained an interview with Lord Baltimore, in Maryland, some time in December, 1682, and presented a letter from the king, directing the lord Proprietary to fix his northern boundary one hundred and twenty miles from his southern limits. Lord Baltimore declined obedience, relying upon his charter, which secured to him the territory to the 40th degree. Thus, this second conference ended without results, as did also a third, held at Newcastle in May, 1683. As Lord Baltimore, now acting with energy, was endeavoring to extend his settlements into, and had made a formal demand for the delivery of the disputed territory, Penn hastened to England to attack the charter of Maryland, on the ground that Delaware was settled, at the time when the charter was issued, and that that instrument only included unsettled territory. His former patron, the duke of York, had now ascended the throne as James II, and Penn succeeded so far as to obtain a decree, in 1685, from the commissioners of plantations, that the territory between the two bays should be divided by a straight line into two equal portions as far as Cape Henlopen, and that portion, now constituting Delaware, be given up to Penn. Fearing the destruction of his patent, the lord Proprietary was compelled to submit, and, although the king was soon dethroned, this decision formed the groundwork of the subsequent final settlement. However, until 1732, the line continued to be disputed, and many outrages were committed by both parties in endeavoring to sustain their pretensions. In that year an agreement was entered into by the Proprietary to adopt the border fixed by the decree of 1685 on the east, and on the north a line drawn due west, fifteen miles south of Philadelphia.

When Lord Baltimore perceived the full extent of his

agreement, he endeavored to set it aside; but, in 1750, a decree in chancery, for its performance, was obtained against him by the Penns. Upon his death, his son, Frederick, Lord Baltimore, continued to resist its execution, and proceedings were commenced against him by Thomas and Richard Penn, the surviving Proprietaries; but finding by representations from Maryland, that the condition of the border was frightful and lawless, he at length, on the 4th July 1760, agreed to an amicable arrangement. The lines already indicated were adopted and commissioners appointed to mark them out.\* The commissioners—in the execution of their duty, on the northern line, or "Mason and Dixon's," as it is called, after the scientific gentlemen who laid it out—set up at the end of every mile, a stone with the letter P. and the arms of the Penns engraved on the north, and "M" and the escutcheon of Lord Baltimore on the south side; many of these stones are still to be found upon the line. They were, however, prevented by fears of hostile Indians, from proceeding further than Sideling Hill—a distance of one hundred and thirty miles from the place of beginning. Similar land marks were placed on the Delaware boundary: and thus, after a struggle of more than a century, a large and fertile territory was forever lost to Maryland.

Virginia. The last of the boundary disputes remains unsettled to this day. The charter of Maryland defined the western boundary by the meridian of the first fountain of the Potomac; and the question arose whether the north or south branch of the Potomac was the main head of that river. The decision involved a large territory, as the south branch extended far to the south and west of the north branch, and the meridian of its first springs would necessarily throw the western boundary farther back than that of the north branch, and include the fine country between the

\* McMahon, 44-5.

two streams. During his exile, the unhappy Charles II granted to several of his followers, that portion of Virginia lying between, and bounded by, the heads of the Potomac and Rappahannock. After the restoration the grant was re-issued to Lord Culpeper, who, by assignments from the other lords, had become sole proprietor; and the title descended from him to his daughter, the wife of Lord Fairfax. This grant, in terms, did not interfere with that of Maryland; but the question then arose, which was the true head of the Potomac, the north or south branch. It is very clear that the south branch is the principal stream, being at least sixty miles longer than the north. Lord Fairfax immediately began to make grants, and, in 1748, formally opened a land office in "the Neck," as his territory was called. In that year he entered into an agreement with the authorities of Virginia, by which they adopted the northern branch of the Potomac as the common boundary, without regard to the claims of Lord Baltimore, who, in consequence, directed Gov. Sharpe, in 1753, to investigate the question, and maintain his just rights. Accordingly, the governor, having ascertained by the testimony of Col. Thos. Cresap that the south branch was the true head, wrote to Lord Fairfax, protesting against any such arrangement, and claiming the boundary on the south branch. In 1771, Cresap, under the direction of the Proprietary, surveyed both branches; and, in 1774, the Maryland commissioners for the Proprietary began to grant lands in the disputed territory on the west. The revolution only changed the parties to the controversy. Upon the adoption of its constitution in 1776, Virginia expressly recognized all the rights of Maryland to the territory contained within the charter: yet when commissioners were subsequently appointed to mark off the disputed territory, it restricted its agents to the boundary assumed by Lord Fairfax; and the representatives of Maryland refused to treat with persons having no

power to discuss and adjust the subject of dispute. Many efforts were subsequently made without success—the last in 1824—and the matter rests thus at this day, occasionally agitated by the legislature, but as often abandoned for partizan questions and political intrigues.



## CHAPTER VI.

### THE FRENCH AND INDIAN WAR.

IN 1751, Frederick, last of the lords Baltimore, while yet a minor, became by the death of his father, Proprietary of Maryland. The French war had just been brought to a close; it was one, however, in which Maryland had borne but little part. The province was not immediately concerned in its dangers, and contented itself with furnishing occasional supplies of men and money to assist the northern colonies. But a new contest was approaching, in which it was deeply interested, and which poured the horrors of Indian invasion across its border. It was the last war between the English and French for dominion in the new world, and terminated in the overthrow of the latter, in the conquest of their possessions, and eventually led to the humiliation of the former, in the independence of the United States.

The governor of Canada, having conceived the bold idea of connecting that colony, with the <sup>French and Indian war</sup> French possessions in Louisiana, immediately began to construct a chain of forts along the Mississippi and Ohio rivers, passing through a territory to which the English laid claim. As early as 1749, a grant of lands, west of the Alleghanies, had been made to an association called the Ohio Company: which, principally for the purposes of traffic with the natives, erected posts extending even to the Ohio river. These movements, probably, led the French governor to the formation and execution of his design. Several of the company's trading posts were taken and pillaged, the traders themselves made captives; and strong

positions selected, fortified and garrisoned, to maintain an open communication from New Orleans to Quebec, along the course of the Alleghany, Ohio, and Mississippi rivers. Virginia was principally interested in the controversy; and its governor immediately despatched Colonel Washington on an embassy to the French commandant, to protest against his proceedings and to demand an evacuation of the territory. Washington performed his difficult and dangerous mission, through a hostile Indian country, with that courage, zeal, and perseverance, which afterwards, in a higher station, made him the saviour of his country. The demands of Virginia were rejected, and nothing was left but a recourse to hostilities. In the war which ensued, Maryland became involved simply in self defence and for the assistance of the sister colonies,—while Virginia and Pennsylvania were contending for the acquisition of a large and fertile territory. At the beginning of the war, therefore, the legislature of Maryland stood aloof, in spite of the commands of the crown, the remonstrances of the governor and the entreaties of Virginia, declaring to each their determination to resist any and every foreign invasion, and to contribute their assistance to the neighboring colonies, when they conceived their necessity required it.

They, however, consented to send commissioners, Chas. Carroll and Benjamin Tasker, to the general convention which the English government had directed to assemble at Albany, and appropriated the sum of five hundred pounds to purchase presents, to secure the good will of the Indians. When the convention met, they entered into designs very different from those entertained by Maryland and beyond the power granted to its delegates. They resolved that a general union among the colonies was necessary for their preservation, and a plan of confederacy, submitted by Dr. Franklin, was adopted.\* Ever jealous of

\* McMahon; Pitkin.

their colonial independence, proud of their charter, and fearful of the invasion of their rights of internal sovereignty, the people of Maryland had constantly resisted every attempt to effect a union of the colonies under one government. They did not now yield. The plan was submitted to the General Assembly, and was unanimously disapproved of by the lower house, as "tending to the destruction of the rights and liberties of His Majesty's subjects in the province." Whilst they, thus fearlessly, pursued the course of policy they had marked out for themselves, the time had arrived when they could no longer avoid taking part in the war. Colonel Washington's forces had been captured at Little Meadows by the French and Indians, who, from Fort Duquesne, erected on the present site of Pittsburg, poured their savage and plundering bands upon the unprotected frontiers of Pennsylvania, Maryland and Virginia. It became necessary, therefore, to reduce it. The General Assembly was, in consequence, at once convened at Annapolis, on the 17th of July, 1754. They immediately voted a supply of six thousand pounds, to be applied to the aid of Virginia, and to the encouragement of the friendly southern Indians, in their service, by supporting their wives and children during their expeditions.

Although legislative action was thus long delayed, the people of the province had taken part in the war, from its commencement. They organized companies of rangers and frontier guards for the protection of the border settlements. A fort had been erected at Cumberland—far beyond the settlements—which served as the resting point in the expeditions undertaken against the French on the Ohio. In some of these, the people of Maryland bore a part. In September, 1753, two companies, under Capt. Dagworthy, Lieutenants Bacon and Forty, marched from Annapolis to the western frontier. In the ensuing year, the government of Virginia contemplated an expedition against fort Du-



quesne, or the erection of a stronghold to restrain its garrison; and its regiment, having been joined by several companies from Maryland and North Carolina, was ordered to commence its march in August: but when it was found that the number of the troops did not exceed half that of the enemy, and that no sufficient provision had been made, by the legislature for their supply, the enterprize was necessarily abandoned.\* It was, however, only to prosecute it with renewed vigor in the ensuing campaign, and extensive preparations were made to insure its success.

The command of all the forces, engaged against the French on the Ohio, was, by a royal commission, conferred upon Gov. Sharpe, of Maryland, in chief, while Col. Fitzhugh was to conduct the army, during the absence of his superior officer, upon his official duties as governor, and while visiting the military posts. Colonel Washington, disgusted with the treatment he had received from Governor Dinwiddie, upon the reduction of the Virginia regiment in consequence of disputes concerning rank, resigned his commission, and retired from the service. Justly appreciating his talents and qualifications for the peculiar duty before him, Gov. Sharpe was desirous of securing them once more to the common cause, and, at his request, Col. Fitzhugh addressed him a letter in which he tried the force of argument and persuasion, to induce him to join them, offering him the rank of captain. But Washington refused, declaring that he could not consent to accept the commission of captain, when he had already held that of colonel.†

On the 24th of December, the General Assembly of Maryland was again convened; and passed a law for the levying of troops for the ensuing campaign, and, as an inducement to men to enlist, provided that if any citizen of the province should be so maimed in the service as to be incapable of maintaining himself, he should be supported at

\* Marshall.

† Sparks, vol. 2, p. 64-5.

the public expense. In the ensuing session of February, 1755, they regulated the rates of transportation of military material, and the mode of quartering soldiers in the province, and prohibited by severe penalties any inhabitant from supplying the French or their Indian allies with stores, ammunition, or provisions. All these measures were preparatory to that expedition which ended so disastrously for the whole country.

**Braddock's  
Defeat.** Early in the year, Gen. Braddock, at the head of a strong body of troops, embarked at Cork, for the colonies, and, on his arrival at Alexandria with his fleet of transports,\* a council of the colonial governors was summoned, to meet him at Annapolis. On the 3d of April, Gen. Braddock, Gov. Dinwiddie, and Commodore Keppel arrived at Annapolis, and were joined on the 11th and 12th by governors Shirley of Massachusetts, De Launcey of New York, and Morris of Pennsylvania: but the place of meeting having been changed—these gentlemen in company with Gov. Sharpe of Maryland, proceeded to the general's headquarters at Alexandria. In the council that ensued, three expeditions were determined on: the first against fort Duquesne, under Braddock himself, reinforced by the Maryland and Virginia levies, the second, against Niagara and fort Frontignac, and the third, against Crown Point. The council, having completed its plans, broke up, and the different governors hastened to their respective stations.

On the 17th, Governor Sharpe returned to Annapolis, and in a few days after went to Frederick, where a portion of the army was already quartered, to expedite the necessary preparations for transporting the supplies. He was soon met by Gen. Braddock, who began his march to that place from Alexandria with Dunbar's regiment immediately after the breaking up of the council, intending to remain until his stores should be forwarded to fort Cumberland,

\* Green's Gazette.

his ultimate point of rendezvous. During his stay at Frederick, he was joined by Colonel Washington, whom he had invited to serve as his aid-de-camp through the campaign, and to whose skill and courage the army was afterwards essentially indebted.\* After the departure of the general and his forces from Frederick to Winchester, Va., on the 7th of May, the people of Maryland, in large numbers, marched from the different counties to defend the frontiers, and to replace the garrisons of the outposts; and, with commendable spirit, money, clothing, and provisions, for the volunteers, were advanced by gentlemen of the province.†

The impressment of wagons, horses, and teamsters, was carried on with great activity; especially in Frederick, and to such an extent, that the contractors for erecting a new court house there, found it impossible to obtain horses to transport the materials to the site of the building.‡ Benjamin Franklin, then postmaster-general for the colonies, had met Braddock at Frederick, to concert a plan for forwarding despatches, and, learning the scarcity of wagons, undertaken to furnish them from Pennsylvania. He succeeded in hiring one hundred and fifty, in York and Lancaster counties, by giving his own bonds to the owners for their indemnification, a responsibility which involved him in great difficulty after the defeat at the Monongahela.§ And yet in spite of these general draughts such was the scarcity of means of transportation, that Braddock was unable to begin his march from fort Cumberland until the middle of June. A further delay in his progress was caused by the necessity of cutting a road for the troops through that rough and mountainous country. Fearing that the French would have time to collect a strong force at fort Duquesne, the general selected a body of twelve hundred men, and, leav-

\* Sparks.

† Recital in rejected Bill of 1762, Sec. 44.

‡ Frederick county records.

§ Sparks.

ing the remainder of the army to advance with the heavy stores, hurried forward to surprise the enemy.

On the 8th of July, he reached the Monongahela; and, expecting to begin the investment of the fort on the following morning, arranged his forces for the attack. Three hundred British regulars, grenadiers and light infantry under Lieut. Col. Gage, formed the van, and were followed, at some distance, by the artillery and the main body of the army, divided into small columns. The provincials, accustomed to the wiles of an Indian enemy, repeatedly warned Braddock of the danger of an ambuscade,—but their admonitions were derided. Twice the army crossed the river, in its march; no sooner had it passed over the second time, being about the hour of one o'clock, than a heavy fire enveloped the advance, which had plunged into a narrow defile. The regulars were instantly thrown into confusion. The volleys of an unseen foe mowed down their ranks; with their own random fire they slew one another. At length, a panic seized upon them, and they broke and fled in wild disorder. In vain, their officers attempted to rally them; in vain did they, clustering together when deserted by their men, charge in bodies upon the foe. Wherever an epaulette appeared, it became the mark of the unerring Indian. Col. Washington, alone unwounded of all the aids-de-camp, brought up the Virginians and provincials, who, taking to cover like the Indians, gallantly sustained the fire, and secured the retreat of the frantic British regulars. To the last, Braddock with undiminished courage persisted in maintaining the action, until he received a mortal wound, it is said, from the hand of a provincial, named Faucett, who was indignant that the obstinacy of one man should sacrifice the lives of hundreds. Then the rout became universal. Sixty-four out of eighty-five officers, and about one-half the rank and file were killed or wounded.\* The victorious

\* Marshall; Sparks.

force of the enemy consisted only of thirty Frenchmen and three or four hundred Indians—of whom seven Indians and four Frenchmen were killed—whilst that of the defeated army was twelve hundred regulars and provincials.\*

The defeat must be attributed to the rashness of General Braddock, who, however, displayed great coolness and bravery upon the field, and had five horses killed under him, before he received the fatal wound. Col. Washington had two horses shot under him, and his uniform was riddled with balls. He was the only mounted officer that escaped unhurt—Providence had reserved him for greater things. The rout did not cease until the fugitives had reached the camp of the main body—forty miles from the scene of action—where Braddock breathed his last. Col. Dunbar, infected with the panic, destroyed his baggage and stores, and placing the wounded in the wagons which had been used in their transportation, retreated hastily to fort Cumberland. Utterly desponding, he soon after marched to Philadelphia, where, although it was yet the month of August, he went into winter quarters, abandoning the defenceless frontiers to the fury of the savage.

A period of terror and desolation ensued—the settlements were attacked and broken up: and the borders of Pennsylvania, Maryland and Virginia became one extended field of petty battles, murder and devastation.† The outposts were driven in, and some of the smaller posts captured and their garrisons massacred; and Frederick, Winchester, and Carlisle became the frontiers of the colonies.‡ Fort Cumberland was still held by the troops under Capt. Dagworthy; but this isolated fortress could afford no protection against the roving bands of savages, who passed around it to seek their prey in the settlements beyond. The panic, left by the flying British troops, spread even to the bay shore. Many of the inhabitants from the interior fled to Baltimore, and

\* Captain J. Smith's Narrative. † McMahon. ‡ Marshall.

there preparations were made by the citizens of that town to embark their women and children on board the vessels in the harbor preparatory to a flight to Virginia; while some of the Virginians even believed that there was no safety short of England itself. Yet if the news of the defeat excited terror in some—it also nerved others, to preparation for the coming danger. The people in the west gathered at Col. Cresap's, and strengthened his block-house for defence: others sought protection at fort Cumberland. Even before the defeat, as if in anticipation of it, a party of Indians had made their way into the settlements and committed many ravages. On the 3d of July, they attacked the house of Mr. Williams, in Frederick county, and massacred twelve persons belonging to his family.\* And after the defeat, a party of inhabitants flying to fort Cumberland were waylaid and fifteen killed; three escaped unhurt, and the last, a boy, was scalped and left for dead, but revived and succeeded in making his way to that fort.

As soon as the disastrous intelligence of Braddock's destruction, reached Annapolis, Governor Sharpe set out for Frederick, and on the 17th of July, marched to the west, at the head of a body of troops hastily assembled. Private subscriptions were opened to defray the expenses: Annapolis and the surrounding country alone raised one thousand pounds. The militia were called into service, and in October, were relieved by a force of volunteers, raised to meet the emergency. But the country people still continued to come in, as new inroads were constantly taking place and many families cut off.

Such was the effect of the panic on the militia that when Major Prather endeavored to assemble those of the frontier, for the purpose of pursuing one of these hostile bands, he found it impossible to get them out. Each man upon the borders dreaded to leave his house unprotected, lest in

\* Green's Gazette.

his absence, his family should fall a prey to the enemy. But from the lower part of Frederick county, which was secure from depredations, volunteers under Colonel Ridgely and Captain Alexander Beall, with some companies from Prince George's county and several from Fredericktown itself, hastened to the scene of desolation. They arrived too late to punish the savages and could only remain to protect the survivors from further inroads. In this disastrous year more than twenty plantations were laid waste and their occupants massacred or carried into a dreadful captivity. So extensively had the fear of the Indians spread, that the most improbable rumors were credited. In November, it was reported that a body of French and Indians were within thirty miles of Baltimore, and immediately, more than two thousand men assembled to oppose their advance.\*

The people of Annapolis, far removed as they were from the frontiers, caught the infection, and in November began to fortify their town. Serious apprehensions were for a time entertained that a body of the savages might, in their stealthy mode of warfare, marching by night and lying in concealment by day, penetrate the intermediate country, surprise the town, and massacre the inhabitants. However the excitement was allayed by the return of several volunteers from the west, who reported affairs as in a better condition.†

In the midst of this panic, the effectiveness of the troops on the frontiers was weakened by disputes and dissensions between their leaders. Captain Dagworthy, who now commanded the Maryland levies, had been an officer in the Canada expedition, during the last war, and held the king's commission. Upon entering the Maryland service he still laid claim to precedence of rank under his old commission, which, as emanating from the king, was considered to confer a superiority over all colonial commissions. Imme-

\* Green's Gazette.

† Annals of Annapolis.

diately after the defeat at Great Meadows, fort Cumberland had been erected, in Maryland, where the city of Cumberland now stands, by several independent companies from North Carolina and New York; and in November, a small body of Maryland recruits under Dagworthy, were placed there in garrison by Gov. Sharpe. Dagworthy asserted his right of precedence over the other colonial officers at that post. He was supported by Gov. Sharpe, who claimed the post as a Maryland fort, and subject to his jurisdiction, and properly under the command of a Maryland officer; while Dinwiddie of Virginia contended, that it was a king's fort, and that Dagworthy could not out-rank the field officers of the Virginia regiment. The affair was laid before Braddock, who decided in favor of Dagworthy. After the defeat and death of that general, the dispute was revived, and Lieutenant Colonel Stephen, of the Virginia forces, was ordered by his government to see that none of the provisions, sent thither by Virginia, should be distributed to the Maryland or Carolina companies. But Dagworthy refused to permit any interference in his command, claiming to out-rank Col. Washington himself: that energetic officer, however, having obtained leave of absence, laid the matter in person before Gen. Shirley, the commander in chief, then at Boston, and in March, 1756, procured an order, settling definitively the relative rank of the different claimants.\* Dagworthy was reduced to the position of provincial captain, as holding a commission from the governor of Maryland, where no regulars were joined to his force, thus subjecting him to all colonial field officers; and the right of command at fort Cumberland was conferred upon Washington himself. Thus ended this vexatious dispute, which by dividing the forces at the fort, had rendered them of little service to the colonies.

\* Sparks' Life and Writings of Washington, vol. 2, where the letters relating to this dispute are collected.



The legislature assembled in February, and immediately took into consideration the state of the province. The act prohibiting trade with the enemy was revived, and a bill framed in contemplation of another, and more formidable expedition against their stronghold, in conjunction with Virginia, North Carolina and Pennsylvania, in pursuance of a plan, adopted at a meeting of the governors of those provinces, held in the fall succeeding Braddock's defeat. On the 22d of March, 1756, the bill was passed. It provided for raising a sum of forty thousand pounds, of which eleven thousand were to be applied to the erection of a fort and several block-houses in the western frontier, and for levying, arming, paying and maintaining a body of troops, not exceeding two hundred men, to garrison these posts; three thousand pounds were placed in the hands of two commissioners, Col. Benjamin Tasker and Charles Carroll, to engage the services of the southern Indians, one thousand pounds were directed to be distributed in bounties of ten pounds for each scalp of an hostile Indian, or for each prisoner brought in by any inhabitant of the province: and twenty-five thousand were reserved for the joint expedition in contemplation against fort Duquesne. Messrs. William Murdock, James Dick and Daniel Wolstenholme, were appointed agents to pay out these several sums, with a commission of two and one-half per cent. on all disbursements. Thirty-four thousand pounds of this sum were raised by bills of credit, a system already in full operation in the colony: but the legislature taught by recent difficulties wisely provided at once a sufficient sinking fund, by imposing new duties and laying additional internal taxes. Some of the features of the bill mark the spirit of the time—a double tax was laid upon the lands of Catholics; and, as if to make atonement for the oppression of one class, they asserted the liability of all to their own legislative supremacy, and subjected even the manors and lands of the lord Proprietary

to the common burdens. Another, in the list of twenty-two subjects of taxation on which the Assembly thought proper to levy, is singular enough to require notice: "On all bachelors, of twenty-five years of age and upwards, worth one hundred pounds and less than three hundred, a duty of five shillings per annum was laid; and, if worth over three hundred pounds—twenty shillings per annum:" and, to heighten its effect, this subject of taxation was significantly placed in the list of luxuries, and between the duties on "wines and liquors," and "the billiard table."\*

Fort Cumberland, lying nearly sixty miles beyond the frontier, was found to afford no protection from the savages, and the people had been compelled to erect stockades and block-houses, on the verge of the settlements, as places of immediate resort and security in sudden danger. Under the act which had just passed, Governor Sharpe, to remedy this defect, selected a site for a new fort, near the present town of Hancock, to be called fort Frederick; purchased one hundred and fifty acres of land, and, immediately, began, under his personal inspection, the erection of a large and durable fortress of stone, capable of containing a garrison of three hundred men. By the middle of August, the fortifications were far enough advanced to afford accommodation to the troops, and were immediately garrisoned by a force of two hundred men, under the command of Col. Dagworthy. In the mean time the Indians had not been idle. Small parties penetrated, at night and secretly, into the country, struck a fatal blow, and then retired, generally before availing pursuit could be made. Their audacity increased with their success; and a party made their way even to the neighborhood of Emmitsburg, somewhat more than sixteen miles from Frederick, assailed the settlement, and, after shooting a man named

Defence of  
the frontier.

\* Bacon. From April, 1762, to November, 1763, this tax produced £904 1s. 2d.

Alexander McKeasy in his own door, escaped without loss. But they were not always so fortunate: the desultory war had raised up a number of partizan Indian fighters, the most successful and unsparing of whom was Col. Thomas Cresap, a man of undaunted courage and skill. On the 20th of May, 1756, at the head of one hundred men—his "red caps"—he overtook a party of Indians, and completely routed them with some slaughter; and, on the 30th of June, came suddenly upon another roaming band, and also defeated them.\* Yet such was the effect produced upon the out settlers by these destructive inroads, which it was equally impossible to foresee or to prevent, that they continued to desert their cabins and clearings, and poured in towards the lower country. "The whole settlement of Conococheague in Maryland is fled," writes Col. Washington, in August, 1756, "and there now remains only two families from thence to Fredericktown. That the Maryland settlements are all abandoned is certainly a fact, as I have had the accounts transmitted to me by several hands and confirmed yesterday (28th) by Henry Brinker, who left Monocacy the day before, and who also affirms, that three hundred and fifty wagons had passed that place, to avoid the enemy, within the space of three days."†

The neighboring colonies having failed to co-operate with Maryland in the proposed expedition, and the season having passed for any such attempt, the legislature was again convened in September, and hastened to devote the amount of twenty-five thousand pounds, laid aside for the purpose, to other and more pressing objects of service. Five thousand pounds were appropriated to raising and maintaining three hundred men for the royal American regiment, and to furnish a supply of wheat for Lord Loudon's troops at New York, three thousand pounds for bounties for scalps or prisoners, taken by persons not in the pay

\* Green's Gazette.

† Sparks, vol. 2, p. 183.

of the province, and three thousand five hundred pounds for forming a company of one hundred men, to be incorporated with the battalion already under the command of Col. Dagworthy, at fort Frederick. One-third of this force was required to be constantly on duty, as rangers, on the frontier for the protection of the inhabitants: and to increase their activity, in addition to their pay, each soldier, who while on this duty took a scalp or a prisoner, was allowed a bounty of thirty pounds. Additional appropriations were made towards completing fort Frederick, for purchasing arms and ammunition, and erecting a magazine, and, to reimburse the governor the expense of maintaining the rangers, whom he had employed on the frontier, during the preceding spring.\*

Provision having thus been made for defence, the confidence of the people to the westward was somewhat restored, although the settlements were not fully re-occupied until the close of the war. Even in 1761, several years after the reduction of fort Duquesne, the people of the western portion of Frederick county, when desirous of building a bridge on the road from Conococheague to Pittsburg at a cost of only forty pounds, were compelled to have recourse to the county court for assistance from the general assessment, assigning as their reason that the country was thinned of its inhabitants, that the settlers who had removed on account of the war had not yet returned to their dwellings, and that the few who remained were unable to bear the charge; while the work was absolutely required by the public service, being on the route by which supplies were carried to the royal troops at fort Pitt.† Indeed, it was impossible to form a complete cordon of defence across the frontier; for small parties of the enemy would easily make their way into the settlements, strike a successful blow and retreat in safety before the rangers could come to the rescue.

\* Bacon.

† Jud. Rec. L. L. p. 840—Fred. Co.

The inhabitants, at the breaking out of hostilities were, to a great extent unpracticed in Indian warfare, and, therefore, fell an easy prey to their vigilant and unsparing enemy. Elated by their bloody victory on the Monongahela, in which they had almost annihilated a force of three times their number, composed of chosen troops under a British general, they boasted that at length they were about to drive the invaders from the graves of their forefathers and recover their ancient hunting grounds. From the Miami, the Ohio, and the borders of the lakes, their war parties concentrated at fort Duquesne, to pour out upon the extended frontiers, sometimes in parties strong enough to take the smaller fortresses by storm, but generally numbering but two or three, striking unexpectedly into the settlements, burning the farm houses, killing or capturing the inhabitants thus taken by surprise, and hurrying away as rapidly with their booty.\* But the borderers soon began to learn their mode of warfare and to prepare for it; and aided by the rangers and the garrisons of the forts, and protected by their own rude block-houses, made successful defence against their inroads.

In the ensuing April, the Assembly was convened at Baltimore, and further provisions were made for the security of the frontiers. A portion of the first appropriation being still unexpended, and the sum of three thousand pounds, intended to secure the services of the southern Indians yet unapplied, the whole, amounting to more than ten thousand pounds, was devoted to increasing the forces in the west to five hundred men: and, to promote the recruiting service, those who enlisted were exempted from levy and other charges for three years, and the maimed and disabled were promised an annual pension for their support.† Finding that every effort at a combined expedition had failed the year before, the government now sought only

\* Narrative of Col. James Smith.

† Bacon.

to defend its own frontier; and, during the season, succeeded in securing the services of a band of Cherokee Indians to aid in that object.

The enemy were not long in recommencing their assaults. In June, it was reported that a large body of French and Indians, with heavy cannon, were marching against fort Cumberland to besiege it. Gov. Sharpe instantly set out for Frederick, accompanied by a number of volunteers, to gather troops and relieve the menaced post; there, however, a subsequent express informed him that it was only a small party of about three hundred men, without artillery, and, fully confident in the ability of the troops already on the frontier, aided by the Cherokees, to prevent their ravages, he returned to Annapolis after a week's absence. The enemy, however, had no design upon the fort; they separated into small parties, as was their wont, and broke into the settlements—principally of Virginia. A few attempted to ravage Maryland, but were overtaken and several of them killed by the friendly Cherokees, who rendered important services to the colony. In addition to the troops already on the frontier, Capts. Butler's, Middagh's, and Luckett's, companies of militia were ordered to relieve the garrison of fort Frederick then under the command of Capt. Beale. During their tour of duty, they acted with spirit, and prevented the ravages of three different parties of the enemy, who attempted to break in upon the settlements. Besides furnishing this garrison for fort Frederick, the people of Frederick county raised two hundred men, who, in August, marched under Gov. Sharpe in person to strengthen that fortress and to garrison fort Cumberland; where in the ensuing month, they were joined by a company of volunteers from Cecil county, under Captain Jesse Hollingsworth.\*

Fort Cumberland, so long the subject of dispute between the governors of Maryland and Virginia, and maintained

\* Green's Gazette.

by the latter against the strong wishes of Col. Washington, was now finally given up to Maryland, by the order of Lord Loudon, and was destined henceforth to be garrisoned by Maryland troops. It soon became a source of discord in another quarter.\* In October, Gov. Sharpe applied to the legislature for means to support the garrison which he had placed there. The Assembly, averse to maintaining a force too far beyond the frontiers, to protect the inhabitants, replied with warmth, that they had been stationed there contrary to the intention of the act by which they had been raised, and if evil consequences arose from want of supplies, the blame must rest upon the heads of those, who had taken the responsibility of placing them there without warrant of law. As the step had been taken by order of Lord Loudon, they denied his authority to control the forces raised and paid by the colony without their consent; whereupon that nobleman wrote to Gov. Sharpe, protesting against this doctrine, as without precedent, and peculiar to Maryland alone. Gov. Dinwiddie likewise pronounced it "inconsistent and unmannerly, in the Maryland Assembly, to make any hesitation, or to dispute his lordship's power." But the Assembly had been too long accustomed to a sturdy maintenance of their rights, to yield to the protests or abuse of British lords or royal governors.

But this limited and petty warfare of posts and defensive expeditions, while it exhausted the force of the colony, could produce no permanent results. The neighboring provinces of Virginia and Pennsylvania, with far more extensive borders to protect, had suffered more severely than Maryland, and the governments of the three colonies, at length, became fully convinced that the readiest and most effectual mode of protecting their frontiers was the expulsion of the enemy from his stronghold. Early in 1758, another expedition against fort Duquesne was determined on.

\* Sparks.

Lord Loudon having returned to England at the close of the last campaign, the command of the British forces in the middle and southern colonies, was committed to Gen. Forbes; and it was hoped by the colonies that active and energetic measures would now be taken. Virginia, which was principally interested, had already one regiment in the field, and had directed the formation of another. The forces of Maryland, amounting to five hundred men, under Col. Dagworthy, held its frontier from fort Frederick, aided by their Indian allies. In the Assembly, which met at Annapolis, in March, 1758, an effort was made to bring a still larger force into the field. But Maryland was once more, to a certain extent, secure. The old controversies between the upper and lower houses, recommenced, and the delegates once more asserted and sturdily adhered to the demands, which during the perils of the three preceding years, they had allowed to slumber. In April, the House framed a bill for the supplies required to raise one thousand men, and among other property, imposed taxes upon the Proprietary's quit rents and estates, on the salaries and emoluments of public officers, and the usual double tax upon the lands of Catholics, and those who refused to take the test oath of supremacy;\* and claimed the sole right of originating and amending money bills. The upper house protested against these taxes as unjust, and contended that the claim of the lower house was arbitrary and unconstitutional. But the Delegates were immovable. Rather than submit, the government abandoned all hopes of further supplies, and Colonel Dagworthy and his troops were ordered to join the expedition as the quota of Maryland. To supply garrisons for the fortresses thus left vacant by the departure of Dagworthy's men, Governor Sharpe called out the western militia for a time, and marched at their head to fort Cumberland, of

\* For these oaths see Bacon, 1716, ch. 5.



which post he took command as soon as Col. Washington with his regiment joined the main army at Raystown. During the continuance of the governor at the fort, the army suffered a serious loss of ammunition from the blowing up of the magazine.\*

Although it was desirable that the campaign should open early in the season, the Virginia troops did not reach fort Cumberland, their place of rendezvous, till July. They were, then, occupied in cutting a road from that post to Raystown, where the advance of the army was stationed under Col. Bouquet—Gen. Forbes being detained by sickness at Carlisle. As if to increase these delays and render the expedition abortive; the English officers, in spite of the remonstrances of Col. Washington, determined to make a new road to fort Duquesne, instead of taking the route of General Braddock. It was already late in the season, the enemy were daily strengthening their forces, and it was feared that winter would overtake the army in the mountains. The worst results were foreboded.

Grant's De- In September, an advanced body had reached  
feat. Loyal Hanning, about ten miles beyond Laurel Hill; and, towards the close of the month, Major Grant was detached to reconnoitre, with a select corps of more than eight hundred men, consisting of three hundred and thirty Highlanders, one hundred and fourteen royal Americans, one hundred and seventy-six Virginians, ninety-five Maryland, one hundred and twelve Pennsylvania, and thirteen Carolina troops.† In the night, he took post upon a hill, about eighty rods from fort Duquesne, unobserved by the French, and in the morning, by way of bravado, beat the reveille and sounded the bagpipes in several places. As soon as the English were discovered, the Indians sallied out from the fort, and, having under cover of the river banks, reached a height that overlooked Grant's position, surround-

\* Sparks.

† Green's Gazette.

ed him and commenced the attack.\* The Highlanders, drawn out in close array, were slaughtered almost unresistingly, by the deadly fire of the enemy, and at length gave way; while the Maryland troops, to whom were joined the Carolinians, took cover in bushes and behind trees, and keeping the enemy at bay, sustained the action. The Pennsylvanians broke at the first fire. The Virginians, under Major Lewis, of Col. Washington's regiment, had been detached two miles to the rear to guard the baggage; as soon as the action began, they hastened up to the assistance of Grant, but were unable to maintain their ground.† The English were defeated with a loss of two hundred and seventy-three killed and forty-two wounded; Majors Grant and Lewis, and many of their men were taken prisoners. The Marylanders, behaved with great gallantry, and, although they suffered severely, succeeded in covering the retreat of the remainder of the troops. Out of ninety-five men, their loss was twenty-three privates and one officer, Lieut. Duncan McRae, killed and missing; and seventeen wounded—nearly one-half their whole force. Capt. Ware, Lieut. Riley, and Ensign Harrison, with fifty privates made good their retreat.‡ The loss of the enemy was trifling.

This defeat, so similar to the disaster of Braddock, induced the Indians to believe that the remainder of Forbes' army would retreat, as the force under Col. Dunbar had done on the like occasion. A large portion of them, accordingly left the fort and returned to their hunting grounds, with their prisoners and plunder, in spite of the solicitations of the French to remain.§ This was a fortunate circumstance for the success of the expedition. Forbes' army was still toiling on its way, liable to be taken at disadvantage by a strong force, and did not reach the post at Loyal Hanning until the fifth of November, nearly a month after the battle. Here the recent defeat, and the lateness

\* Smith's Narrative. † Green's Gazette. ‡ Ibid. § Smith's Narrative.

of the season, had nearly produced the results expected by the Indians. A council of war was held, which determined that it was unadvisable to proceed farther during the present campaign. In the meanwhile, the enemy, who had carefully watched the march of the army, thinking it a favorable moment to make another fortunate blow and complete their victory, detached a body of troops with the Indians yet remaining at the fort, to the number of one thousand men, and attacked Col. Bouquet, with great spirit at Loyal Hanning, on the 12th of October. After four hours of hard fighting, they were repulsed; but during the whole ensuing night, kept up an occasional fire upon the works. Before day however, they retreated, carrying with them their killed and wounded, thus concealing their loss in the action: that of the English was sixty-seven rank and file killed and wounded. In this affair, the Maryland troops had one officer, Lieut. Prather, and two privates, killed: Ensign Bell, and six privates, wounded, and eleven missing.

Still the savages hovered around the army. On the 12th of November, near Loyal Hanning, Col. Washington, with a scouting party, fell in with a detachment of the enemy and a skirmish ensued. A second party of Virginians, coming to their assistance, in the heavy mist were mistaken for a body of the foe, and a fire given upon them and returned before the unfortunate error was discovered. Capt. Evan Shelby, of Frederick county, who commanded a company of Maryland volunteers, in this skirmish, killed with his own hand one of the leading chiefs of the enemy.\* After these disastrous actions, the hostile Indians abandoned their allies and left the fort, saying, that it was an easy matter to deal with the regulars, but impossible to withstand the provincials.

Capture of  
Fort Du-  
quesne.

Reanimated by success and learning the desertion of the Indians, from a prisoner taken by

\* Green's Gazette; Bacon.

Captain Ware of the Maryland troops, the English determined to prosecute their attempt. At length, taught by experience the inefficiency of regulars in such a service, they threw Col. Washington in advance, and succeeded, on the 22d of November, after a painful march, in reaching fort Duquesne, which the French, hopeless of maintaining with their diminished garrison, after setting it on fire, had abandoned the night before. The works were immediately repaired, the place renamed fort Pitt, and a garrison of two hundred men, drawn from the Pennsylvania, Maryland and Virginia troops, assigned for its defence.\*

The capture of this fortress, the centre from which so many predatory expeditions had gone forth, filled the colonies with joy. Gov. Sharpe, by proclamation, appointed a day for public thanksgiving and praise; and the Assembly, to testify their gratitude to the brave men who had served in their forces, appropriated fifteen hundred pounds to be distributed as a gratuity among them:—to Lieut. Colonel Dagworthy £30—to each captain £16, lieutenant £12, ensign £9, and non-commissioned officer £6: and the remainder to be expended in the purchase of clothing and suitable necessaries to be divided among the privates. From this time forth, Maryland had little concern in the war—although its rangers—numbering two hundred and thirty men—were engaged in the expedition against the Shawanese towns—perhaps the only affair of moment, after the capture of fort Duquesne. Occasional bands of Indians passed fort Pitt, and committed depredations upon the frontiers, but the hardy settlers were now fully able to protect themselves, and the principal features of its history are of a pacific, and legislative character. Yet that legislative history is full of interest, for it led eventually to the revolution. It was a continuous struggle for the rights of the commons.

\* Green's Gazette.

## CHAPTER VII.

### THE DAYS BEFORE THE REVOLUTION.

**F**ROM the earliest period, a contest had been waged, in Maryland, between the two principles contained in the charter; and the result of that contest, in every stage, had been a further and broader development of the democratic and a diminution of the aristocratic. The germs of both were fully contained in that instrument; but the spirit of the people and the necessities of the times, tended constantly to the vigorous growth of the one, and the utter destruction of the other. This contest was now rapidly verging to its final issue.

The representatives of the people, who sat in the lower house, insisted upon an exclusive right to frame and amend bills for raising money; the upper house—which was simply the council of the governor, and, with him, the representative of the Proprietary, by whom they were appointed—claimed for themselves a share in the imposition of taxes. Whilst immediate danger impended over the colony, in 1756, the commons had permitted their claim to slumber, that the public safety might be secured; but, now that the war had been removed from their borders, they planted themselves firmly upon their old position, and remonstrance and petition, from the friends of the Proprietary, and commands, from the crown, were alike disregarded. Fully concurring in the necessity of conquering Canada, in order to secure peace to the colonies, at each session they passed bills to afford aid and assistance to the royal arms, but in every instance, from their unwavering adherence to their position, the bills failed to become laws. Nine times in

succession did they thus adopt a bill similar to that rejected in 1758, and as often was it negatived by the upper house. The opinion of His Majesty's attorney general, Pratt, was in vain brought before them to induce them to yield: they claimed that they were the sole representatives of the people, and that "the people could only be taxed by their own consent." It was impossible to subdue their firmness. The other colonies murmured, and the English government became indignant, at the repeated refusals of Maryland to aid the royal arms. The statesmen of England, at length, satisfied that it was impossible to compel the colonies to tax themselves by means of royal requisitions, determined to have recourse to indirect taxation.

Peace was declared in 1763; and the French colonies were ceded to England. She possessed the whole northern continent; but to counterbalance this acquisition, she found herself laboring under a heavy debt, contracted during the war. She had, already encroached upon the rights of the colonies, by compelling them to furnish requisitions—resisted by Maryland alone—and, finding these insufficient to meet her wants, she prepared herself to advance one step further in their complete subjugation. They were rich and populous, and firmly attached to liberty; and freedom on the one part, and supremacy on the other, were prizes worth struggling for.

The condition of Maryland was prosperous, in spite of the ravages it had suffered during the war. Its population, in 1761, amounted to 164,007 persons, of whom 114,332 were whites, and 49,675 blacks, principally slaves. Although possessed of few manufactures, save that of iron, which even then produced annually 2,500 tons of pig-iron and 500 tons of bar iron, the greatness of its resources were undisputed. Its people were frugal and industrious, they had spread themselves almost to the utmost limits of the province; and, peculiarly fitted for commerce and na-

vigation, with most of its territory within thirty miles of streams navigable for boats, its soil rich, and exuberantly productive to the labor of the husbandman and planter, it needed only the hand of independence to make it a powerful, flourishing, and sovereign state.. Such was the spectacle that met the eyes of England, ever casting about for something to prey upon, and the result of the scrutiny was the passage of the stamp act.

**The Stamp Act.** Under pretence that the government had assumed large burdens; in their defence, and the apparent obligation on their part, to bear a portion, Lord Grenville, in 1763, notified the agents of the colonies, in London, that, at the ensuing session of parliament, he intended to propose a duty on stamps for the purpose of raising a revenue from the provinces, at the same time giving them the privilege, of suggesting, as a substitute, any other mode of parliamentary taxation, that would be more agreeable to them. In the session which followed, a resolution to the same effect was adopted, but the ministry did not yet venture to take the final step. They were preparing the way. The restrictions on colonial trade were tightened, and a lucrative commerce with the Spanish and French islands was entirely cut off. The indignation of the people was aroused; they saw at once that England designed depriving them of their liberties, and making them the mere subjects of the British parliament. "Assemblies remonstrated, public meetings denounced, and agents petitioned. The measure was resolved upon, and, on the 22d of March, 1765, the Stamp Act was finally imposed."\* The interval of two years, which had been intended as a preparation of the minds of the people for submission, only enabled them to gather their energies for universal resistance, in the open manifestation of which, it is true, Massachusetts and Virginia took the lead, from the advantage of

\* McMahon, 232.

opportunity, though, in unanimity, firmness and success, Maryland surpassed them all. It is its proud boast that its soil was never polluted by the obnoxious stamps. Every where the utmost indignation was excited; the columns of the Maryland Gazette teemed with articles assailing the measure. Pamphlets were issued, public appeals were made, and the minds of the whole people of the province, were arrayed firmly against it. The other colonies expressed their opposition by remonstrances and protests through their legislative bodies; if Maryland did not at once speak out through the same channel, it was because the Assembly was prorogued from 1763, until Sept. 1765, and it could only have recourse to the pen, the press, and open violence. But at the session of Sept. 1765, the earliest opportunity which was presented, the Assembly solemnly protested against the measure, and indignantly complained, that thus for two years they had been deprived of the power of publicly declaring their lasting opposition. Ere that period arrived, the people of the colony had already vindicated their rights, in a more summary manner.

Zachariah Hood, a native of Maryland and a merchant at Annapolis, was appointed, in the summer of 1765, stamp distributor for the province. He brought with him from England a cargo of goods, together with the obnoxious stamps. When he arrived in the harbor of Annapolis, the ferment reached its height. The people gathered in crowds at the dock, determined to prevent his landing: an outbreak ensued, in which one of their number, Thomas McNeir, had his thigh broken, and Hood, at the very seat of government, was compelled to draw off from the shore and effect a landing, clandestinely, at another time and place. No sooner had the tidings of his arrival spread through the country, than the people gathered into the city, and prepared to show their utter detestation of the man who could consent to

Resistance  
to it in Ma-  
ryland.

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become the instrument of foreign tyranny in enslaving the liberty of his country. The effigy of the stamp distributor was mounted on a one horse cart, with sheets of paper in its hands, and paraded through the streets amidst the execrations of the crowds, while the bells tolled continually a solemn knell. The procession marched to the hill, tied the effigy to the whipping-post, and bestowed upon it nine-and-thirty lashes, which the crowd humorously called giving "the Mosaic law" to the stamp distributor. It was then hung upon a gibbet, erected for the purpose, a tar barrel placed under it and set on fire, whence it ignited, and at length, fell into the blaze below and was consumed. Similar was the exhibition of popular feeling in Baltimore, Frederick, Elkridge, and other towns.\*

But the punishment of Hood did not stop with his degradation. He offered the large stock of goods, which he had imported at reduced prices, to buy the favor of the people; they not only refused to purchase them, but carried their resentment to such a pitch, as to tear down a house which he was preparing for the reception of his merchandise, lest he should make it the place of deposit for his stamps. At last, they threatened him with personal violence. Trembling for his life, he took refuge in the governor's house; but soon finding that even there he could obtain no protection, he fled in despair, from the province, and did not pause in his flight, until he had found an asylum, in New York, under the guns of fort St. George. His evil fate still pursued him; and, as the governor of Maryland dared not protect him in his palace, so he found no safety even under the guns of a British fortress. Determined to vindicate the honor of their native province, and to punish a son who had taken part against her, a number of daring patriots followed† him to Long Island, seized him in the midst of his fancied security, and gave him the alternative

\* Annals of Annapolis, 90, &c.

† Grahame, vol. i, 397.

of resigning his office and renouncing and abjuring, under oath, its exercise forever, or of being conducted back to Maryland, with labels descriptive of his office affixed upon his back, and delivered up to the just indignation of the people. Hood prayed, protested, and sought to compromise; but the patriots were inexorable. Then he yielded. His abjuration was fully made out and sworn to before a justice at Jamaica, and, having become powerless and despicable, he was set at large.

Thus when the Assembly met, in September, they found the work of resistance complete; and it only remained for them solemnly to declare their rights, which had thus been vindicated by the people, by measures, in which the first men of the province had borne an open part. No deliberation was needed, for there was no difference of opinion. Many of the delegates, indeed had been instructed by their constituents, and, thus supported by the expressed will and the open acts of the people, there was neither pause nor hesitation. They immediately acted upon a circular, which Massachusetts had addressed to the colonies, proposing the meeting of a congress of deputies; and on the second day of the session, concurred in the suggestion, and appointed, as the representatives of Maryland, Col. Edward Tilghman, William Murdock and Thomas Ringgold, who received instructions in which they were expressly directed to take care, that any representation or petition, prepared by the congress to be presented to the English government, should contain an assertion of the absolute right of the colonies to be free from taxation "save by their own consent, or that of their representatives, freely chosen and appointed."\*

And now, in behalf of the people of Maryland, they proceeded to make a solemn declaration, which stood prominent even in that day of protests and resolutions, and placed

\* Votes and Proceedings, 1765, p. 7.

the rights of the province upon a broad and incontrovertible ground. On the last day of that short but glorious session of only five days, they unanimously resolved, that the early settlers of Maryland had brought with them all the rights of British subjects, who could not be taxed but by their own consent; that, by the charter of Maryland, these rights had been fully secured to them, and strengthened by the express renunciation, therein made, of the power of the crown to tax the people of the province: that the trial by jury was their birth right—protesting against the establishment of any other tribunal—and, finally, that the people of Maryland always enjoyed the right of being governed by laws to which they themselves had assented, that, as they were not represented in the British parliament, the legislature of the province alone had the power to impose taxes, and, therefore, that taxes, laid under color of any other authority, were unconstitutional, and an infringement of their rights.\* Having thus rendered this session, as it were, sacred to liberty, they entered into no other business and, refusing to give the governor the advice, he required, concerning the disposition of the stamp paper which was daily expected to arrive in the province, they were prorogued to meet in November following.

Daniel Dulany. The Proprietary government, feeling its rights infringed on by the stamp act, yielded but a faint assistance to the ministry in carrying the scheme into effect; and Gov. Sharpe, after the commons had refused to interfere, upon the recommendation of the upper house who represented that if the stamps were landed they would certainly be destroyed, determined to deposit them, until further orders from England, in one of the royal cruisers stationed on the Virginia coast. In the meanwhile, the war of words went on. Daniel Dulany, a man eminent for learning and ability, and distinguished as a lawyer, pub-

\* Votes and Proceedings H. D., Sept. 1765, p. 10.

lished a pamphlet, which was universally acknowledged to be one of the best defences of the rights of the people which appeared during the controversy. In this work he reviewed the whole ground, and concluded with an appeal to the people to produce manufactures for themselves, and compel their antagonists to yield, by striking at their interests. Yet whilst he thus defended the cause, he disapproved of the proceedings of "the sons of liberty," in which some of the most active and distinguished men of Maryland had taken part. The course of Daniel Dulany, upon this subject, is a strong testimony of the secret hostility to the measure of the Proprietary party of which he was an adherent; when, however, the question was made of the rights of the Proprietary against the people, and finally of independence, which must destroy those rights entirely, Daniel Dulany was found in the ranks of those who vainly attempted to stay the torrent of popular progress and to sustain the tottering power of the Proprietary and the crown.

The colonial Congress met at New York on the first Tuesday of October, 1765: all the representatives of Maryland were present at this body, which proceeded to prepare an address to the crown, a petition to parliament, and a declaration of the rights and grievances of the people. Their proceedings were submitted to the Assembly of Maryland, at its next session in November, and were unanimously approved by the House, which passed a vote of thanks to their commissioners for the able manner in which they had performed their duty, and at their May session, 1766, caused the Journal of the congress to be printed with their own. Fearful lest an insidious attempt should be made to bind the consciences of the judges, magistrates, and other provincial officers, the House, immediately on the opening of the November session, upon adopting the usual rules for their government, directed that the committee on grievances should likewise act as a committee on courts of justice;

and instructed the members to "observe the nature of all the commissions to the several courts of judicature within the province, and, especially, to observe any alterations that may at any time happen by accidental omission, or otherwise, therein; and particularly relating to such words therein, as require the several judges and justices to hear, try, and determine, according to the laws, statutes, ordinances, and reasonable customs of *England* and of these provinces"—and instantly to report the same to the Assembly. The committee was also directed to examine the oaths of office taken by the magistrates: and the House declared, as a necessary portion of these oaths, the following clause: "To do equal law and right to: all the king's subjects, rich or poor; and not to delay any person of common right, for the letters of the king, the lord Proprietary, or for any other cause; but if any such letters come to them, they shall proceed to do the law, the same letters notwithstanding."\* It is not improbable that these provisions were, to a certain extent, aimed against the enforcement of the stamp act.

America had been compared to a conquered country; the House declared that Maryland could not be so considered, that the inhabitants had planted themselves there, with the permission of the crown, and had become prosperous, with the blessing of God, by their own labor; and unanimously resolved, that those who asserted that they had forfeited any part of their *English* liberties, were not well wishers to their country and mistook its constitution. They, likewise, declared that the "province hath always, hitherto had the common law, and such general statutes of England, as are securative of the rights and liberties of the subject, and such acts of Assembly as were made in the province to suit its particular constitution, as the rule and standard of its government and judicature:" and intimated that by these alone should the judges, and magistrates and

\* Votes and Proceedings H. D., 1765, November session.

other officers be guided. These resolutions, the unanimous expression of the representatives of the people, afford a distinct indication of the popular feeling. They, however, fall short of its depth and excitability, which was called forth by the slightest opposition on the part of the upper house and governor, to the acts of the lower house.\*

Many of the debts incurred during the late war, still remained unpaid, and not a few unascertained; some of which were claims for money advanced to fit out or supply their companies, by the different officers—among whom were Capt. Evan Shelby—to whose services the House bore ample testimony.—Captains Ware and Price,—afterwards, officers of Smallwood's battalion,—Capt. Joshua Beall, and Lieut. Rezin Beall, afterwards brigadier-general of the Maryland troops of the flying camp. At November session, a resolution was passed for the payment of those claims which had been adjusted, together with the journal of accounts. The upper house rejected the resolution, on the ground that there were some, equally deserving, whose demands had not been included, and suggested certain allowances for the clerks of council, and others. The lower house agreed to all these items save those claimed for the clerks of the council, and refused to separate the journal of accounts from the list of debts. A warm controversy ensued between the two houses: in the mean while, the claims of all concerned were postponed.

The people of the west were principally interested, and there the deepest feeling was aroused—excited, according to the assertions of Gov. Sharpe, by the efforts of Colonel Thomas Cresap, a member from Frederick county, who was reported to have said, that nothing would be done unless the people took it in hands. They gathered in force at Frederick, to the number of three to four hundred men, armed with rifles and tomahawks, proceeded to elect officers

\* Votes and Proceedings.

and declared their intention to march by companies, to Annapolis, and settle the disputes between the two houses. The inhabitants of Elkridge pursued a similar course and despatched two magistrates to Annapolis, with the significant threat that according to the tenor of the express they should receive from the capital, a number of men would or would not be in sight of that place in two days time. These ominous facts were communicated to the House, by Gov. Sharpe, with the recommendation to consider seriously the evil consequence of large bodies of people assembling to overawe either branch of the legislature. The House replied with assurances that every proper step should be taken to prevent such results, at the same time defending Col. Cresap, until evidence should be brought against him. The session lasted but ten days longer, which were spent in a war of lengthy messages with no result, but that of postponing the question to the ensuing session.

The associators,—for the armed men who had thus assembled had bound themselves together by written pledges—declared, in a petition prepared for presentation to the lower house, “their satisfaction at the conduct of that body in opposing the stamp act,” intimated a “reliance that they would endeavor like the renowned ancient *true* Roman Senate, to suppress any future attempt to deprive them of their liberty;” and requested that they might be informed, if the upper house persisted in its unjust pretensions “in order that the signers might come down and cause justice to take place.” Their zeal, however, seems to have been moderated, by the more prudent of the popular party, and the session passed off without any further demonstration. The controversy was not settled until December, 1766, when a committee of conference was appointed and a compromise effected.

Arrival of the  
Stamps.

The Stamp paper having at length arrived at Newcastle on the Delaware, in October, 1766, on

board His Majesty's ship *Sardoine*, commanded by Captain Hawker, the governor, unwilling to enforce the obnoxious law, and desiring to screen himself behind the lower house, again demanded some expression of opinion on their part, as to its disposal. They persisted in their refusal to give it: and by the advice of the council, he directed Captain Hawker to retain it on board his ship. To the commands of the English secretary to execute the law at all hazards, he replied that it was impossible without the aid of a strong military force; and that the peace of the colony had hitherto, only been preserved by the cautious measures he had adopted. Knowing that a considerable time must elapse before further orders could arrive, or troops be sent, the governor hoped to weather the storm, without exciting the hostility of either party. But a new difficulty arose; and he was constrained to extend his conciliating policy still further.

The law had made stamps necessary in many transactions: for a time, therefore, a partial cessation of business ensued. But the obstacle was soon overcome: and Frederick county court had the high honor of first deciding, in a legal manner, the unconstitutionality of the stamp act.\* This decision was received with joy: and the people hastened to celebrate so important and significant an event. The festival took place in Frederick, on the 30th of November, 1765. "The sons of liberty," in funeral procession, in honor of the death of the Stamp Act, marched through the streets, bearing a coffin, on which was inscribed: "*THE STAMP ACT, expired of a mortal stab received from the Genius of Liberty, in Frederick county court, 23d November, 1765, aged 22 days.*" Zachariah Hood, the late unfortunate stamp distributor, was chief mourner, in effigy, and the whole affair ended merrily in a ball. In the public offices, at Annapolis, however, business

\* McMahon, 350.



still continued to be interrupted for the want of stamps, the time serving officers hesitating to treat the law as a nullity and fearing to attempt its enforcement. This inconvenience the people determined to remedy; and, in February, 1766, the inhabitants of Baltimore and the adjoining country formed themselves into an association of "the Sons of Liberty"—a society for the maintenance of the rights of the people—and adjourned to meet at the capital, to put an end to this abuse. The public officers were very politely notified of their coming, and requested to be in readiness to receive them. On the first of March, they assembled according to adjournment, and presented them a petition, requesting them to resume their business, by the 31st of March. The timid officials temporized: and the sons of liberty adjourned to meet again, having called on their brethren in the counties to assemble with them. On the 3d of April, they came together in great strength, and laid their petition before the general court. At first, they met with a refusal. They, again, "earnestly insisted and demanded, with united hearts and voices," in terms, to which resistance was no longer possible. Then the court yielded, perhaps, not unwillingly, and the public officers followed their example. Business was again resumed, as if the British parliament had never thrown an obstacle in its way; and the stamp act, the offspring of its power, though still unrepealed, had ceased to exist even indirectly in Maryland.

Its repeal, 1766. Its fate in the province, foreshadowed its downfall in England. The opposition, hoping to gain strength in their party contests, united with the friends of the colonies, in assailing and overthrowing the administration that had obtained its passage. Pitt brought his eloquence to their assistance in parliament, and, on the 18th of March, 1766, that obnoxious act, long since dead in all the colonies, and never enforced in Maryland, was repealed.

But whilst doing this act of empty justice, the parliament did not fail to censure the resistance of the colonies, and to renew its claim to the power of imposing taxes upon them. Its repeal was received with acclamation in Maryland. Every-where, the people displayed their joy in festivals and illuminations. In the midst of their rejoicings, they did not forget the debt of gratitude, which they owed to the distinguished and enlightened patriots of England, who had proved themselves friends of the colonies, in the long and patient struggle. In November, 1766, the House of Delegates, "taking into their most serious consideration, the noble and spirited conduct of the Right Honorable William Pitt, now Earl of Chatham, and the Right Honorable Charles Pratt, Lord Camden, late lord chief justice of the common pleas, and now lord high chancellor of England, in defending and supporting the rights and liberties of their fellow-subjects in general," "to transmit to posterity their grateful sentiments of the inflexible integrity, and conspicuous abilities of these shining ornaments of their country, and as a monument of their virtue" and "a lasting testimony of the gratitude of the freemen of Maryland," unanimously decreed, that a marble statue of Chatham should be erected in the city of Annapolis, and a portrait of Lord Camden, by some eminent hand, placed in the provincial court:—a refinement of compliment worthy of the eminent men who led the proceedings in that day. They, also, directed their agent in London, Mr. Garth, to tender their most sincere acknowledgments to the Earl of Chesterfield; Lord Shelburne; secretary Conway, Gen. Howard, Col. Barré, Sir George Saville, Alderman Beckford, and all other members of the lords or commons, who had "acted the like glorious part of defending, through principle, the just rights of the colonists."\* Messrs. Ringgold, T. Johnson, Wolstenholme, Hall, Grahame, Hanson, Murdock and Chase, were directed

\* Votes and Proceedings, Nov. 1766, p. 136.

to draw up and report a bill, to carry the resolution into effect. It passed the lower house; but, as it assumed, as did every act of that unyielding body, that the right of originating money bills was vested in the delegates alone, the governor and council rejected it, offering, however, to agree to it provided the house would abandon their position. The act of gratitude, therefore, failed: but its failure, even, was honorable to the sturdy independence of the House, whilst the resolutions, recorded upon its Journal, have transmitted to posterity, better than chiseled marble or glowing canvass, their gratitude to the great men who had aided them in their successful struggle. Thus ended the stamp act, in a victory, glorious to the people, tending to unite them more strongly together, and proving their strength, thus united, against the schemes and machinations of oppression. It prepared them to resist the next invasion of their rights with even greater energy.\*

The duty on Tea. The English government, even in the moment of defeat, still clung to the idea of raising a revenue from the colonies. It goaded their pride to yield; yet, they determined to proceed hereafter in a more cautious manner. Townshend declared, in parliament, in 1767, that, "he knew how to raise a revenue from the colonies without giving them offence;" and his opponents, who had originated the stamp act, replied, with a taunt; "you dare not tax America." And the tax was determined on. On the 2d of July, 1767, an act was passed by parliament, laying a duty upon tea, paints, glass and paper, imported into the colonies, under the specious pretence of regulating commerce. But Townshend was not more fortunate than Grenville. The old spirit of resistance again broke out, the press teemed with appeals to the public; and the colonists were soon prepared to meet it, as they had met the stamp tax. Massachusetts took the lead once more; and,

\* McMahon, 320—364.

having framed a petition to the crown, addressed a second circular to the sister colonies, advising them to adopt similar measures.

The legislature of Maryland did not assemble until the 24th of May, 1768, but public opinion had already settled their course. The British government finding that the spirit of resistance was aroused, had ordered the various governors to prorogue the Assemblies of their provinces, if they manifested any disposition to unite in measures of opposition, hoping thereby to disable the patriots and reduce their strength. But the Assembly of Maryland was too wary to be thus circumvented. The patriots prepared their measures in advance. They, then, took into consideration the Massachusetts circular, and appointed a committee to draft a petition to the king. Immediately, the message of the governor was presented, and they were warned that they would be prorogued, if they persisted. Without reply or delay, they instantly adopted the petition, passed a series of resolutions, which they had already framed; and, having successfully taken every step the occasion demanded, drew up a sharp reply to the governor, stating their readiness to be prorogued. This message was borne to the governor by Robert Lloyd, the speaker of the House, attended by all the members in procession. They were accordingly dissolved.\*

This spirited body contained among its members, many of those distinguished patriots, who bore honorable share in the revolution, in the council chamber or the battle field. Thomas Johnson, William Paca, Samuel Chase, Matthew Tilghman, Thomas Cockey Dye, Francis Ware and William Smallwood, sat in the House, besides many others of less note. Gen. Smallwood's military tendencies seem already known, for he was appointed with Messrs. Warb, Purnell, Griffith and Cresap, the "Indian fighter" of western Mary-

\* Votes and Proceedings, 1768.

land, on a committee to inspect the state arms. Their report displays the poverty of the magazine: there were 785 muskets, old and new; 420 bayonets, 262 swords, 35 pistols, 47 pikes, 2 halberts, 97 kegs of shot and musket ball, 80½ barrels of powder, and fifteen pieces of cannon.\*

Non-importa-  
tion societies.

The colonists were not yet prepared for an appeal to arms. It was necessary that every peaceful means of redress should be exhausted; and, having tried petition and remonstrance, they determined to resort once more to "Non-importation" which had been introduced in the days of the stamp act. It was first revived in Boston, but was not generally adopted until all hope of redress from parliament was abandoned. At an early period of the struggle, county associations had been formed in Maryland; for the purpose of united action, it was now deemed expedient to embody them together. On the 9th of May, 1769, solicited by the people of the counties, several merchants of Annapolis, Messrs. Dick and Stewart, McCubbin, Wallace, and W. Stewart, addressed a circular to the people, calling a general meeting at that city, for the purpose of consulting on the most effectual means of promoting frugality and lessening the future importation of goods from Great Britain. On the 20th of June, the people assembled at beat of drum, and entered into articles of non-importation of British superfluities, for promoting frugality, economy, and the use of American manufactures; and unanimously pledged themselves, individually, to sustain these purposes, and to hunt out and punish all infractions of the pledge. To extend the operations of the association, twelve printed copies of the resolutions were sent to each county, that they might be signed by the whole people.

In the beginning of the ensuing year, the spirit of the associators was put to the test. "The Good Intent," a British bark, arrived in the harbor of Annapolis, with a cargo of

\* Votes and Proceedings, 1768.

the obnoxious articles. A meeting of the associators was immediately called, a committee of three appointed to examine the case, and upon their report, it was resolved that the goods should not be landed: and the brig was compelled to return to London with her whole cargo.\* Nor was this the only instance; and, long before the destruction of tea in Boston harbor by disguised men, the patriots of Maryland, calmly, openly, and in the presence of the governor and the provincial officers, discussed and set at defiance this obnoxious act, and, more effectually, though more peacefully, prevented its execution. When other measures were required *they* were not found wanting, to execute them, as boldly and as openly as they had ever done. They sought no disguises. This calm but determined opposition brought the English merchants to their senses; and they resolved to send no more prohibited goods to Maryland. Yet, while this province was thus firmly vindicating its rights, the other colonies began to fall away from their duty.

The English ministry, alarmed at the unbroken front of opposition, promised, in an address to the colonies, the repeal of the duty on all articles except tea, which accordingly took place on the 17th of April, 1770: and the New Yorkers, yielding to that spirit of money getting, which has since made their city the commercial emporium of the continent, immediately began to desert their association. Philadelphia followed: and several merchants of Baltimore resolved that they would import the articles, now released from duty, and requested the general convention of the associators of Maryland to consider the matter. Delegates from all the counties, in consequence, met at Annapolis, but far from yielding their assent to the proposition, denounced it and its authors, and declared that they would hold no communication with them if they persisted in their

\* Annals of Annapolis.

intention. Thus while the people of the cities led the way to secession, those of the counties remained firm. They had already proclaimed the merchants of New York and Philadelphia, faithless to their pledge and traitors to the cause: they would not yield to the solicitations of those of Baltimore. Patriotism, too often venal and interested in cities, flourishes most vigorously in the pure air of the country. At last Boston gave up the system; and the societies of Maryland began to despond. Yet they did not abandon their pledge, and if for a time they seemed to slumber, it was because more absorbing and more direct questions arose.

The public officers of the province had always been compensated by fees for each service performed, instead of regular salaries. It is so still to a very great extent. These fees were fixed by the legislature from year to year, and were rated in tobacco, payable either in that article, or in money, at a fixed valuation per pound. The profits of some officers had become enormous. Mr. McMahon estimates the annual receipts of the secretary of the colony at \$4,376; of the judges of the land office at \$6,876; and of the commissary's office, at \$3,923.\* The governor of Maryland, of late years only received a salary of \$4,200, which the legislature recently reduced to \$2000, at the demand of the people. It is not strange, therefore, that, at that early day, the people became restless at these exactions. But there was another burden, which, now no longer exists; the clergy of the Episcopal church, were supported by tithes, levied on all the taxables in each parish. By the act of 1702, passed at an Assembly, which as it was now contended, was improperly convened, the rate had been fixed at forty pounds of tobacco per head; subsequently, by the act of 1763, it was lowered to thirty pounds: and yet, even then, so large were the proceeds, that as an ex-

\* McMahon, 362

ample, the income of the parish of All Saints, in Frederick, amounted to one thousand pounds sterling, or nearly five thousand dollars a year. These fees and tithes were collected by the sheriff by process of execution, if not voluntarily paid.\*

In the general spirit of opposition to unjust burdens and abuses which had arisen, these two did not escape: and the legislature, in 1770, when the acts authorizing these impositions had expired, took up the question and endeavored to diminish the amount of the fees and obtain other reforms. But the persons, most directly interested and holding the most profitable offices—Daniel Dulany, secretary, Walter Dulany, commissary general, Calvert and Stewart of the land office, sat in the council or upper house, and resisted every attempt to infringe upon their profits. From this moment, Daniel Dulany, and his compeers, became arrayed against the patriots. Interest proved stronger than public spirit: and the popular champion during the stamp tax struggle, became the defender of Proprietary rights and royal privileges, during the subsequent contests. After an ineffectual attempt to arrange the affair, the House, having ordered the arrest of the clerk of the land office for taking illegal fees, was prorogued by Governor Eden. There was now no law in existence for the collection of officers' fees, and that for the rating of tithes had also expired. For the clergy, it was contended that the act of 1702 was revived, by the expiration of that of 1763, and they, immediately proceeded to collect their tithes, at the rate of 40 pounds of tobacco per titheable instead of thirty: while, for the protection of the officers, who, with the established clergy, formed the main stay of the royalist party, the governor, on the 26th of November, issued a proclamation fixing the old rates of fees, and requiring the officers to receive the amount in money if tendered.†

\* McMahon, 298.

† Ibid. 299.



The people of Maryland had never yet submitted to an arbitrary exercise of power, and the proclamation at once woke up all the fire of "the Sons of Liberty." Parties were formed—for some were found venal enough to array themselves on the side of patronage and authority—the officers and the established clergy, and their adherents, rallied around the governor, against the body of the people, headed by the almost unbroken front of the lawyers of Maryland. Yet one of those, who should have maintained the honor of his profession, as a sentinel upon the watch-tower of liberty—Daniel Dulany—was found enrolled upon the side of privilege. He held the most lucrative of those offices, which the people sought to reform. As in former controversies, public opinion was appealed to in every mode; by popular addresses, pamphlets, and discussions in the columns of the Maryland Gazette. Amid these, arose a young man, spirited, wealthy and highly educated, who threw himself headlong into the struggle; and, growing with its trials, became renowned in its darkest hours, and honored and cherished in its glorious success.

Charles Carroll of Carrollton, was descended from a family, which had settled in the province before the Protestant revolution. He was born in 1737, at the city of Annapolis, and at eight years of age sent to France to be educated. At the age of twenty he commenced the study of the law, in London. He returned to Maryland in 1764, just in time to enter heart and soul into the strife, which his countrymen were waging against tyranny. He had struggled against the stamp tax; he now took his place again, by the side of his brethren, in the opening contest against parliament. With Daniel Dulany himself, he grappled: and the controversy was the most marked of that day. It was carried on under the names of the "*First Citizen*" and "*Antilon*." His articles were able and eloquent, as able and eloquent as those of his great

Charles Carroll and Daniel Dulany.



CHARLES CARROLL.

*Charles Carroll of Carrollton*



and learned opponent, who had long stood, the leading mind of Maryland: and they were more effective. He conquered, for he fought on the side of liberty. What mattered it to him that a thousand petty assailants sprang up against him, and heaped upon him the name of "Papist," "Jesuit," and every opprobrious epithet of bigotry; and taunted him with that, which if not his glory was their shame—"that he was a disfranchised man and could not even vote at an election."\* With enlightened men such assaults must ever fail, as they did then fail. He triumphed with the people; he lived to see them free, and great, and prosperous: he survived, the last of the noble band of signers, a relic of the great past, among the young generations, which sprang up around him; and when he passed away to the sleep of peace, the tears, not alone of Maryland, but of the whole union flowed for him.

The elections came on in the midst of this controversy, and they were made to turn upon it. They resulted in the complete success of the popular party. Every where they prevailed; and, every where, the people acknowledged their gratitude to their able champion. They could not select him as a delegate, for though the defender of their liberty, he was himself doubly enthralled; but, solemnly instructed by public meetings, held in Frederick, Baltimore and Annapolis, the delegates elect formally presented to the "First Citizen," the thanks of the people.

The Proclamation. The last Assembly, in 1771, had petitioned against the arbitrary exercise of power; they had argued and remonstrated in vain. The measure was persisted in. Now, the people determined to give additional weight to the proceedings of the new house, by a bold manifestation of their indignant feelings. Upon the closing of the polls at Annapolis, the popular candidates, Messrs. Paca and Hammond, were declared elected; and the people

\* McMahon, 391.

set about celebrating their victory. They marched in procession to the gallows, preceded by two flags, on one of which was inscribed, "*Liberty*," and on the other, "*no proclamation*," with the representatives elect, between them; then followed a sexton and a clerk, a coffin containing a copy of the proclamation cut out of one of Mr. Dulany's articles in its defence,—and muffled drums and fifes, playing the dead march, and a large concourse of people from town and country, with six pieces of cannon, significantly bringing up the rear. The coffin, with its contents, the obnoxious proclamation, was suspended from the gallows, then cut down and buried, amidst loud shouts and discharges of minute guns, whose sound swept ominously to the government house and its defeated adherents. On the coffin was inscribed the following meaning words:

"The proclamation, the child of folly and oppression, born the 26th of November, 1770, departed this life 14th of May, 1773, and buried on the same day, by the Freemen of Annapolis."\*

**The Vestry Act.** Similar was the feeling evinced throughout the state, when the result of the elections was announced. It might have warned a government not devoted to ruin. The clergy of the established church, blinded by interest, still insisted upon their arbitrary claims; the people resisted, and they had recourse to the courts to sustain their exactions. But the lower courts, in many instances, decided against them. This controversy had now lasted three years, and thrown the colony into commotion, unsettling the course of its laws, and interrupting public business. The whole tobacco inspection system was destroyed, and affairs could no longer remain in such a condition. At length a compromise of several of the subjects of dispute was effected, and the rest were merged and forgotten in a new and more exciting contest.

\* McMahon, 396-7.

The tax upon tea had not yet been repealed, and, although the non-importation societies <sup>Revival of the tax on tea.</sup> for a time declined in their vigor, so constant was the opposition of the people, and so obnoxious had the use of that article become, that it ceased to be imported, and large quantities accumulated in the warehouses of the East India Company, in England. The British government determined to make a last effort to subdue the colonies; and, to enlist the interests of the company in their project, offered it a drawback of the amount paid in duty. Thus the price of tea in the colonies would not be increased by the duty:—and, in that aspect, the submission to it would have been merely nominal. But a principle was at issue, and the people would not submit. The East India Company, however, eagerly accepted the offer, and vessels loaded with "*the detestable weed*," as the colonists termed it, were sent to Charleston, Philadelphia, New York and Boston. At Charleston the tea was landed, but the agents dared not expose it for sale: the vessels destined for New York and Philadelphia were compelled to return to England without landing their cargoes. At Boston a more determined effort was made; and, sustained by a strong body of troops, the royal governor resolved to carry the measure into effect. But the patriots, by a bold and sudden stroke, came off victorious. Disguised as Indians, a party entered the ships, broke open the chests and threw the tea overboard. This spirited measure called down upon Boston the vengeance of the government: in March, 1774, she was deprived of her privileges as a port of entry and discharge, and steps were taken to strip the people of Massachusetts of a portion of their liberties. The only effect of these measures was more completely to arouse the colonies.

The people of Maryland were not wanting in <sup>The Conven-</sup> this crisis; a general convention was called for—<sup>tion.</sup> public meetings were at once held in all the counties; and

delegates chosen, who met at Annapolis on the 22d of June, 1774. The resolutions of this distinguished body breathed a spirit of the most determined opposition to the tyranny of England. They proposed an absolute cessation of intercourse with the mother country, directed subscriptions to be made for the relief of the Bostonians, and, having named Matthew Tilghman, Thomas Johnson, Robert Goldsborough, William Paca and Samuel Chase, delegates to the general congress, declared that the province would break off all trade or dealing with any colony, province or town, that refused to come into the common league.

Nor was it long before the firmness of the non-importation associators was tried: and if the tea party of Boston has been thought worthy of renown, the tea burning at Annapolis—open and undisguised, surpassing the former in every respect, should not be forgotten.

In August, 1774, the brigantine "Mary and Jane," Capt. George Chapman, master, arrived in the St. Mary's river with several packages of tea on board, consigned to merchants in Georgetown and Bladensburg. The committee of Charles county immediately summoned the master before them, and desired Mr. Findlay, one of the consignees also to appear. The explanations and submission of these gentlemen were declared satisfactory; and, as the duty had not been paid, they were discharged upon the pledge that the teas should not be landed but should be sent back in the brig to London. The committee of Frederick county pursued a similar course with the consignees at Georgetown.\* But a more serious infringement of the rules of the "association" soon occupied public attention.

On the 14th of October, the brig Peggy Stewart arrived at Annapolis, having in its cargo a few packages of tea consigned to Thomas Williams and Company. The duty was paid by Mr. Anthony Stewart, the owner of the vessel.

\* American Archives, 4th series, vol. 1, pp. 703-5.

This submission to the oppressive enactment of parliament, called forth the deepest feeling. A public meeting was held: the owner of the vessel and the Messrs. Williams, the consignees, in the most humble manner, apologized for their offence, and consented to the burning of the tea. But the people were determined to exact a more signal vindication of their rights: the easy compliance of Mr. Stewart with the act, had aroused their anger, and threats were poured out against his vessel and himself. Alarmed at the impending danger, Mr. Stewart, by the advice of Charles Carroll of Carrollton, to soothe the violence of the people and make amends for his fault, offered to destroy the vessel with his own hand. The proposition was accepted: and whilst the people gathered in crowds upon the shore to witness its consummation, Mr. Stewart, accompanied by the consignees, went on board the brig, ran her aground on Windmill Point, and set fire to her in presence of the multitude. So obnoxious had tea become, that, wherever it was discovered, its owners were forced to destroy it. Two months later, the people of that portion of Frederick, which is now embraced in Washington county, having met at Hagerstown, compelled one John Parks to walk bareheaded, holding lighted torches in his hands, and set fire to a chest of tea which he had delivered up, and "which was consumed amid the acclamations of a numerous body of people." The committee voted that no intercourse should be held with Parks; and the people, to complete his punishment for having concealed "the detestable weed," assailed and sacked his dwelling. Similar evidences of popular determination were manifested throughout the colony, and while they tended to exasperate the royalists, their success gave new spirit to the patriots.\*

The anxiously expected congress assembled on the fifth of September, 1774. It issued a manifesto setting forth

\* Annals of Annapolis.



the rights and grievances of the colonies, and proposing, as a measure of retaliation, a very extensive scheme of non-importation of British goods. On its adjournment, the Maryland Convention was again assembled, on the 21st of November, and having unanimously approved of the proceedings of the congress, adjourned over to the 8th of December, to give time to the counties not yet represented to send in their delegates. With their organization on that day, closed in fact the power and dominion of the last Proprietary of Maryland.

The last Proprietary. The people of the colony had always loved and revered the family of the founder of the province, and under the government of his descendants, had enjoyed a large liberty and a constantly increasing prosperity. They ever, bore testimony in favor of their kind and paternal rule. It seemed as if Providence, when the great struggle for liberty and independence was approaching, had interposed to sever that link, which might have bound them to England and served to lessen their ardor in the common cause. In 1758, Frederick, last of the lords Baltimore, became a widower, by the death of his wife, Diana, daughter of the duke of Bridgewater; he never married again, but, after having led a dissolute and degraded life, died in Italy in 1771, at the age of forty. Having no legitimate children, he devised the province to his natural son, Henry Harford, Esq. The title of Lord Baltimore, could not descend to him, and thus, the name of the founders of the colony passed from their descendants, just as their rule over it was about to cease. Although the people might have clung with affection to the memory of the old lords Baltimore, a Proprietary, who was an alien in name, and a bastard by birth, could only increase their discontent, and make them seek more eagerly for independence from his rule. As Henry Harford, was the last Proprietary, his representative, Robert Eden was the last English governor of Maryland. He re-

mained in the colony long after his authority had passed from him to the people. In the month of June, 1776, by permission of the committee of safety, he embarked on board the British sloop of war, *Fowey*, and joined Lord Dunmore, the late governor of Virginia, in the bay. On reaching England, he was knighted for his services. After the close of the war, the late Proprietary and his governor, returned together into the State, where the latter died, not long after, near the city of Annapolis.

**Retrospect.** A period of one hundred and forty years had passed, since the two hundred pilgrims, under Leonard Calvert, landed on the wild shores of the little river-island, at the southern extreme of the province. Their descendants had already extended themselves to its northern boundary, covered its eastern shore with wealth and civilization, crossed the Blue Ridge, filling its rich valleys with a bold and hardy population, and planted themselves upon the sides of the Alleghanjes. On its bays and rivers floated, already, the fleets of a growing commerce, while its towns waited but the impulse of independence to spring up into populous cities. Although devoted to agriculture, the people turned their attention to the mineral wealth of their soil, and the forge and the furnace were already actively at work, while other manufactures needed only a fostering hand, or the call of necessity, to be successfully established.

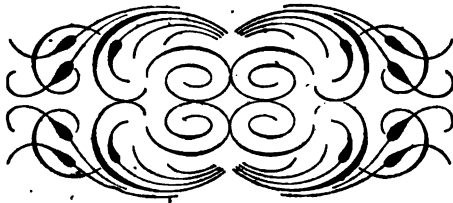
In 1634, the colony stood under its charter the heritage of "the absolute lord Proprietary," with an aristocratic government, overshadowing the sleeping germ of its democracy: in 1774, the power of the lord Proprietary, with that of the British crown, was verging to its fall, and the province was governed by a sovereign convention of the people. Many struggles, and not a few revolutions had aided in bringing about this change: and in all there was progress, save in regard to religious liberty,—even in that, there was the silent preparation for a step which was to place it on a

higher and broader platform than it had ever occupied before. The age, which saw the foundation of Maryland, was a persecuting age. A fanatical zeal had overspread the world, and whenever men had the power, they seemed to consider it a solemn duty, to propagate their creeds, whatsoever they might be, even by fire and sword. They forgot that, it is only the offering of the willing heart that is acceptable to God. Persecution can only make martyrs or hypocrites. The Catholic persecuted the Protestant; and the Protestant persecuted the Catholic and his fellow Protestants who dissented with him. A different and more enlightened feeling pervades the present generation: but it is by that of the past, that the early settlers of Maryland must be judged. Until the year 1649, there were no restrictions, no penalties upon any Christian belief. When religious dissensions began to creep into the colony, the act of 1649 was passed—and it is not strange that it adopted some of the feeling that pervaded the rest of the world. While, the men of that day, Protestants and Catholics, were desirous of assuring to all “professing to believe in Jesus Christ,” full and equal rights; they did not dream of extending them to those, who denied the articles, which all denominations agreed in considering the requisites and the common ground of Christianity. “Blasphemy against God, *denying* our Saviour Jesus Christ to be the son of God, or *denying* the Holy Trinity, or the godhead of any of the three persons” thereof, they considered great crimes; for which they prescribed “the punishment of death and the confiscation of lands and goods to the lord Proprietary. Blasphemy is even now deemed an offence against the laws; and although the public *denial* of the divinity of the Saviour and of the Trinity, may have been viewed in that light, the ferocity of the punishment prescribed for it is so much at variance with the mild character of the Proprietary, and the liberality of the early settlers, that it is difficult to

account for its existence. To all Christians, equal rights and privileges were extended: and this, measured by the sentiments of that age, is no slight glory. In the revolution of '89, this toleration was overthrown, as it had been suspended during the days of the commonwealth, but its gradual extension to all dissenters from the established church, as the political excitement of that period passed away, prepared the people for the more enlarged equality which dawned like a brilliant morn upon the opening revolution of 1776. Still however, the Jew remained enthralled until a much later period.\*

Thus stood the colony, in this crisis, possessing the germs of great resources, agricultural, commercial and manufacturing, with a people liberalized in their sentiments, proud of the liberties which they had acquired, prepared to extend them, and ready to maintain them with their blood.

\* 1824-5.



## CHAPTER VIII.

### THE REVOLUTION.

**AS** with one accord, the patriots of Maryland, at the call of the convention, hastened to bury all private animosities, all local differences, all religious disputes, all memory of past persecution; to wash out all invidious distinctions, to equalize all rights, and "in the name of God, their country and posterity, to unite in defence of the common rights and liberties."\* The Catholic was once more enfranchised in the land which his forefathers had founded, through the power of a public opinion, awakened by community of suffering and of interest. In vain the tory bigot warned the people, and endeavored to excite divisions by the cry of "Church in danger." The attempt to persecute only warmed the sympathies of the people: and Charles Carroll of Carrollton, the great representative of his fellow religionists, and already an acknowledged leader of the patriots, sat in the convention, as the delegate of a Protestant constituency, and bore an honorable share in its proceedings. The dominion of the British crown and the rule of intolerance, in Maryland, sunk under the same blows and perished together, never more to be revived.

On the 8th of December, 1774, the convention again assembled, and proceeded at once to make preparations for an armed resistance to the power of England. And now was presented the singular spectacle of two governments over the same people; the old, silent and powerless, and yet possessing all the machinery of power and the will to exert it; the new, exercising an irresistible authority

throughout the colony, peacefully and without direct contravention of law controlling even the business of the people, overlaying and rendering useless the old, and, by common consent, swaying a complete and entire supremacy. The convention itself was the general legislative and executive body, and its resolves and recommendations were received by the people as laws, and carried into effect through the county committees of safety, vigilance and correspondence. All who refused to submit to these decrees, were summoned before them, and the judgment of the committees upon them published:—from that moment the offenders became the mark of public scorn and contempt. The connection of the province with other colonies, was preserved through the delegates sent to the national congress, and through the general corresponding committee. This simple machinery, rendered effective by public opinion, which in a free land alone gives strength to laws, was all-powerful. It formed the first transition step from the old establishment to the present system.

Having thus provided for the exercise of their authority, the convention proceeded to resolve, that if the crown attempted to carry out by force the measures against Massachusetts, Maryland would assist her to the last extremity. To give earnest of their sincerity, they ordered that all the males in the colony, from sixteen to fifty years of age, should be enrolled and organized into companies, and armed, equipped, and drilled, ready for instant service: and that an assessment of ten thousand pounds\* should be levied on

\* The proportion assigned to the counties is a matter of interest, as showing their relative wealth and population at that period.

St. Mary's,	£600	Baltimore,	£933	Talbot,	£400
Charles,	800	Harford,	466	Queen Anne's,	533
Calvert,	366	Worcester,	533	Kent,	566
Prince George's,	833	Somerset,	583	Cecil,	400
Anne Arundel,	866	Dorchester,	480		
Frederick,	1333	Caroline,	358		£10,000

the counties, in proportion to their population, to be expended in the purchase of arms and ammunition, under the charge of the county committees. Matthew Tilghman, John Hall, Samuel Chase, Thomas Johnson, Jr., Charles Carroll of Carrollton, Charles Carroll, barrister, and William Paca, were appointed corresponding committee for the colony, and Messrs. Tilghman, Johnson, Robert Goldsborough, Paca, Chase, Hall and Thomas Stone, delegates to congress. Then, having called on their sister colonies to prepare for the general defence, and besought all men to enter with united hearts and hands into the approaching struggle, the convention adjourned on the 12th of December to meet again at Annapolis on the 24th of April, 1775.\*

The resolves of the convention were immediately carried out; old and young enrolled with the greatest enthusiasm, and money, arms, and ammunition, were every where collected to meet the approaching crisis. Maryland was girding herself for the struggle. It broke out in open conflict, just before the meeting of the convention.

On the 19th of April, 1775, the first blood, shed in the revolutionary war, was poured out on the field of Lexington: and the result of the contest between provincial valor and patriotism, and British skill and discipline, served only to rouse the whole people more fully. Lexington and Concord will ever be remembered, as the opening of that long and perilous struggle, which resulted in the independence of the United States. The British government, finding every attempt to compel submission to their arbitrary enactments had failed, in the fall and winter of the preceding year, gathered a strong force at Boston and cut off all communication between that city and the country. This step only hastened the preparations of the patriots, instead of overawing them. Magazines of arms and ammunition were collected, and minute men enrolled, and the

\* Conventions of Maryland.

country put in such a state of defence, that at a moment's warning, the militia swarmed together in thousands.

In the midst of this excitement General Gage, who commanded the British troops, sent a detachment to destroy the provincial magazines at Concord and Lexington. At Lexington, warned in spite of the precautions of the enemy, about seventy minute men hurriedly assembled to make resistance. As the British approached, Major Pitcairn, who led their van galloped up, calling out, "disperse, rebels!" The soldiers at the same time charged, firing a volley upon their half armed opponents, and the militia dispersed, leaving on the ground, eight men killed and seven wounded. Immediately the news spread abroad, and before the British had finished their work of destruction at Concord, their advanced parties were driven in; and from Concord to Lexington a continuous fire poured upon them from every fence and cover. Worn down and exhausted, they reached Lexington, where they were joined by a strong reinforcement with cannon. But no sooner had the march been recommenced, than the galling fire of the provincials again opened upon them. The route of the retreating column was marked with slain. At length, they found security under the guns of their ships near Bunker Hill, on the evening of the 19th of April—having lost in killed, wounded, and prisoners, two hundred and seventy-three men. The loss of the Americans did not exceed ninety. At each point where the skirmishing took place, the British gave the first fire, for the provincials remained upon the defensive, desirous not to violate the letter of the law.

The first blood, shed in the cause of liberty, aroused the land.\* North and south went the news upon the wings of the wind: day and night rode expresses from town to town, from committee to committee, sped onward like the

\* The first rumors of the battle reached New York on the morning of the 23d and were forwarded south.



bended bow to arouse the country. A full account reached New York on the 25th of April, at 2, p. m.; Elizabethtown, at seven; Woodbridge, at ten; New Brunswick, at twelve o'clock, at night; Princeton, at three in the morning of the 26th; Trenton, at half past six; and Philadelphia, at twelve: Chester, at 4, p. m.; Newcastle, at nine; Cristeen bridge, at twelve; the head of Elk, at 4, a. m. of the 27th; Baltimore, at ten, p. m.; and Annapolis, next morning at half past nine o'clock.\* And onward, thence, the despatch of the blood-tidings went southward from town to town, endorsed by each committee, the time of its receipt and its departure, and the solemn order, "night and day to be forwarded," until it had penetrated the farthest recesses of the colonies. From Massachusetts, through Rhode Island and Connecticut, through New York, New Jersey and Pennsylvania, through Maryland, Virginia, N. Carolina, and S. Carolina, to Charleston, it went in twenty days, from the 20th of April to the 10th of May, over the rough and difficult roads of that period. Each committee on the main route made and retained copies of the despatches and sent off others by express throughout the interior. By this admirable arrangement, the whole land was bound together, intelligence conveyed, and a common system of action preserved.

The war was now commenced—nearly twenty thousand volunteers immediately assembled, about Boston: and the British troops were themselves besieged.

The convention of Maryland, after a session of four days in which it reappointed delegates to congress, had just adjourned, when the news of these successful battles reached Annapolis. The province was too far from the scene of conflict to take an immediate part in the struggle, and upon its own soil not a single hostile foot was pressed, nor an enemy's sword unsheathed. The note of preparation went on more busily. The enrolments were hastened, minute

\* American Archives, 1775, vol. 2, p. 366, &c.

men were raised; there was no hesitation on the part of the great body of the people. Elsewhere, it was suggested by the timid that submission would ensure reconciliation. The city of New York, was still cold and undecided, and it was found necessary to march a body of Connecticut troops within striking distance, to overawe the tory tendencies of many of the people. But in Maryland the people were long since prepared for the resort to arms.

On the seventh of June, the British attacked the provincials, and the memorable battle of Bunker's Hill was fought. Then hesitation ceased, and doubt every where gave place to certainty. Congress determined to carry on an offensive war: Boston was ordered to be invested; and General Washington, nominated before that body by Thomas Johnson of Maryland, on the 15th of June, 1775, was chosen commander in chief of the American forces.\*

In the midst of this exciting period, on the 26th of July, the convention of Maryland again assembled, and their first step was to adopt the famous "Association of the Freemen of Maryland," which was subscribed to by all the patriots, and became the written constitution of the province, until the new system was framed in 1776. It approved of the proceedings of congress, and called on the people to sustain them; required that forty companies of minute men should be raised; provided a complete military system; vested the executive power during the recess of the convention in a committee of safety, eight of whom were selected from the eastern and eight from the western shore: and directed a large issue of paper money to defray all necessary expenses. It also required the voters of the counties, to elect a committee of observation, who were to exercise a superintending power in their respective counties.

To redeem their pledges to the common cause, the con-

\* Sparks, vol. 3, p. 480.

vention and committees, set about the formation of a regular force to be composed of a battalion, of which Col. Smallwood received command, and seven independent companies, numbering in all 1444 men—besides two companies of artillery and one of marines.\* By a resolution of congress passed on the 14th of June, 1775, two companies of riflemen were called for from Maryland, which, with two to be raised in Virginia, and six in Pennsylvania, were to be formed into one battalion, and marched by companies as soon as enlisted, to the camp around Boston. The two Maryland companies were assigned to Frederick county, and the committee of that county, on the 21st of June, appointed Michael Cresap captain, Thomas Warren, Joseph Cresap, jr., and Richard Davis lieutenants of the first company, and Thomas Price, captain, Otho Holland Williams and John Ross Key lieutenants of the second.† These companies were soon filled with the hardy pioneers of western Maryland, and before the close of July took up their march for the camp where they arrived in August. Capt. Cresap's numbered one hundred and thirty men, who were armed with tomahawks and rifles, were painted like Indians, and dressed in hunting shirts and moccasins. They exhibited their skill and daring in Frederick, before they set out to the north, the most expert holding the target in their hands, for each other to shoot at.‡ By a subsequent resolve of congress, in 1776, six more companies were ordered to be raised, four by Virginia and two by Maryland, to be incorporated with the four companies previously enlisted into a regiment, under the command of Col. Stevenson of Virginia, Lieut. Col. Moses Rawlings, and Major Otho H. Williams of Maryland.

Yet, impatient of the necessary delay in organizing these troops, numbers of young men hastened at their own

\* Convention Journals. See Appendix A.

† Amer. Archives, 4th S. vol. 2, p. 1046.

‡ Ibid. 3d vol. p. 2.

expense to join the camp before Boston, as volunteers. Among these was James Wilkinson, afterwards a major general in the United States service. But there were other materials of war of as pressing need as men, which required prompt measures to furnish and without which their quota of men would be useless. Indeed the colonies entered into the war without supplies. The non-importation system had rendered them more destitute of the necessities of either peace or war, than they had been at any prior period: and it was now found almost impossible to provide the hastily collected troops with powder and ball, or clothing. Throughout the war, the scarcity of these articles, and of the necessary hospital stores, crippled the exertions of the patriots, and caused greater loss of life than even the sword of the enemy. The arsenal at Annapolis was in an almost destitute condition, and the statesmen of Maryland perceived the necessity of providing at once if possible for a permanent supply of arms and ammunition, and military matériel. A sum of money was set apart by the convention for the manufacture of saltpetre for the public use; and, to encourage a general production of this indispensable material, a bounty of two pence was offered for every pound of the rough article made in private factories. The policy of the convention immediately acted upon the people. Powder mills were also erected, especially in Frederick county, the manufacture of wool, flax, and hemp, encouraged, and the making of gun barrels and all the munitions of war undertaken not from the hope of profit, but from the promptings of patriotism. But they were still very deficient in artillery, and it was thought that this want too could be supplied at home. They were not mistaken. Mr. Hughes, of Frederick county, contracted to supply the province with cannon; congress wished to engage him to furnish the continental army also, but he was compelled to decline their proposals.

As yet Maryland had not even been threatened with hostilities. But a period of real danger was approaching. Dunmore, the late royal governor of Virginia, having been driven from that colony, took refuge on board of some men of war in those waters, and commenced a series of depredations upon the counties bordering on the bay. He, at the same time, kept up his communications with the royalists in that colony, and endeavored to extend his influence to Maryland. In July, 1775, John Conolly of Lancaster Co., Pennsylvania, presented to his lordship a plan for raising an army in the western parts, and cutting off all communication between the northern and southern provinces. The scheme, as set forth in the records of the Frederick county committee of safety, certainly displayed no small degree of talent and skill in its projector, and would, but for its timely arrest by the vigilance of that committee, have been productive of the most serious consequences. The disaffected on the western borders were to be enrolled, by the aid of large bounties; the Indians were to be called in to their assistance: and the troops stationed at Detroit, with all the artillery and munitions of war from the line of fortresses on the north west, were to form the nucleus of the army, which was to march suddenly on the defenceless frontier, cut its way to Alexandria, and, there, being joined by Lord Dunmore, fortify itself under the guns of his fleet, overawe the patriots, strengthen and confirm the royalists, and effectually cut off all communication between the north and south. Lord Dunmore approving the plan, despatched Conolly to Boston, with letters of introduction to Gen. Gage; who having given his proposals a favorable consideration, sent him back to Virginia with instructions in pursuance of which, Dunmore in October, issued him "a commission of Lieut. Colonel commandant of the forces to be raised in the back parts and Canada, with power to nominate his subordinate officers." Accompanied by Dr. John Smith of St. Mary's

county, and Allen Cameron of Virginia, both natives of Scotland, whom he had enlisted in his design, he succeeded in effecting his passage through the most dangerous portion of his route with safety, disseminating his evil principles on the way, and preparing for the accomplishment of his purpose.

But an overruling Providence guarded the destinies of the land, and just as he was about to emerge from the hostile settlements to prosecute the remainder of his journey in security, he was arrested, with his companions, in the upper part of Frederick county, and sent under guard to Frederick, where he was examined by the committee of safety. A copy of his plan, a letter from Lord Dunmore to White Eyes, a Delaware chief, to secure his co-operation and a treasonable letter to a citizen of Virginia, were discovered upon his person. Finding further disguise useless, he admitted the charge against him, and, with his companions, was put in close confinement to await the action of the convention and congress, who were forthwith notified of the affair by Mr. Hanson, the chairman of the committee. In December, congress directed the prisoners to be forwarded to Philadelphia, which was accordingly done under a guard of ten men, commanded by Dr. Adam Fisher. Dr. Smith succeeded in escaping during the night, but was retaken:\* and the prisoners were delivered safely in Philadelphia. Connolly was afterwards exchanged, and reappeared at a late period in the prosecution of his old scheme.†

Whilst thus endeavoring to organize a force on the west, Dunmore was actively at work disseminating the seeds of disaffection by his agents on the Eastern Shore of Maryland. His partizans were partially successful, and raised several companies of men pledged to support the royal cause if arms, ammunition and a small additional force

\* Sparks, vol. 3, pp. 126-212-271.

† Proceedings of the committee of safety of Frederick.

should be furnished them. They even became so bold as openly to tear off the black cockade which the patriots wore at their militia trainings, to replace it with the red cockade, and to parade under officers of their own selection. A party under one of their leaders, in November, seized on a small craft and sailed secretly to obtain the necessary supplies of ammunition: but before the malcontents could mature their plans, the committee of safety of the Eastern Shore, aided by the committees of Somerset and Worcester counties assembled a body of a thousand militia, crushed the attempt and secured the principal conspirators.

Although defeated in these attempts, Dunmore did not pause in his efforts. In January, 1776, he invaded Accomac and Northampton, the Virginia counties on the Eastern Shore. As soon, however, as the fact was known by the convention, then in session, three companies of minute men were called out for two months from Kent, Queen Anne's and Dorchester, and ordered to march to the assistance of the inhabitants. Two of these only, under Capt. Kent and Henry, were in a condition to march, the third, from Dorchester, possessed only ten guns fit for service, and was unable to procure a supply. The two companies that marched to Northampton, numbering one hundred and sixty-six men, were generally well armed, but many of Capt. Kent's men were without shoes. They were received by the people with public demonstrations of joy and continued on the station long after their orders had expired, in order to afford protection to the people.\*

Whilst Dunmore was thus threatening the Eastern Shore with his detachments, he bombarded Norfolk with the heavy vessels of his fleet. For the protection of the harbors of Maryland from similar attempts, batteries were erected near Baltimore and Annapolis, and several merchant vessels were manned and armed as vessels of war.

American Archives, 4th s. vol. 4.—Conventions of Maryland, p. 46.

In addition to the batteries, the entrance of the Basin at Baltimore was obstructed by three heavy chains of wrought iron stretched across its mouth, and by vessels sunk in the channel. The public records were removed for safe keeping from Annapolis to Upper Marlborough. These preparations were not useless. Early in March, 1776, the *Otter*, British sloop of war, with two tenders, made her appearance in the bay, captured several small vessels, and, after hovering about Annapolis, anchored a few miles below Baltimore, with the intention of destroying the State ship *Defence*, then nearly completed in that harbor. Captain Nicholson, who commanded the *Defence*, determined to retake the prizes, and having hastily got his vessel ready, and shipped a number of volunteers, with a portion of Capt. Smith's company as marines, bore down upon the enemy, accompanied by several smaller vessels crowded with men. The morning was hazy and the British were completely surprised; the tenders escaped with difficulty, and all the prizes were recaptured, and manned and cleared for action.

The *Otter*, intimidated by the prompt action and formidable appearance of Nicholson's squadron, bore away for Annapolis. But finding this place equally well fortified, and a strong body of the newly organized regulars, as well as militia, assembled to protect the town and shipping, the *Otter* and her tenders dropped down the bay, without having won either booty or success.\* The militia and independent companies, which had been put under marching orders, upon the first appearance of the enemy in the waters of Maryland, now followed them down the bay shores as fast as possible. Having plundered a small island on the Eastern Shore, they made their appearance off Chariton creek in Northampton county, where the Maryland minute men were stationed. The tender entered the creek for the purpose of cutting out several schooners, one of which,

\* Annals of Annapolis; American Archives.



however, they ran aground, in endeavoring to carry out. Capts. Kent and Henry, during the night threw up a small breastwork opposite the schooner to prevent the captors from carrying her off; and early next morning the tender attempted to dislodge them. After a heavy fire of an hour, the tender was compelled to sheer off, without her prize. The enemy having withdrawn, Capts. Kent and Henry were ordered by the Maryland committee of safety to return to the province.

Congress looking to these maritime depredations, found it necessary to establish a continental navy, that the expense of defending the sea coast might be equally borne by all, and not left to the few and scattered ships of the different colonies, incapable of concentrated effort and therefore useless as a means of co-operation with the army. On the 5th of June, the gallant Nicholson received a commission in the new navy, and took command of the continental frigate *Virginia*. Many other Marylanders also entered into the service, among whom none were more distinguished than Captain William Halleck and Joshua Barney, who had shared in the attack on New Providence. Early in the year, the first continental fleet sailed from Philadelphia, under Commodore Hopkins. The stars and stripes were hoisted off that city amidst the acclamations of thousands. The fleet consisted of five ships, fitted out at Philadelphia: the *Columbus*, of 36 guns and 9 swivels; the *Cabot*, of 32 guns; the *Andrew Doria*, the *Providence*, and the *Fly*, ranging from twenty-four to fourteen guns. At the Capes they were joined by the *Hornet* and the *Wasp*, from Baltimore. Their destination was secret.

In the midst of this state of actual hostilities, Mr. Eden still remained in the province, its ostensible governor, while the real supremacy was in the hands of the convention. His easy and affable manners, the politic course he had adopted towards the patriots, and, more than all, his utter

want of power to hurt, had as yet preserved him from the exile which had been the fate of other provincial governors. Heretofore, too, he had been apparently neutral in the contest; but certain letters from Lord Germaine, of the English ministry, through Lord Dunmore, approving his conduct and commanding him to hold himself in readiness to assist the crown when occasion should present, having been intercepted by a Maryland cruizer, it was no longer deemed prudent to permit him to remain. General Charles Lee, then at Charlestown, into whose hands the letters were placed; immediately wrote to the committee of safety at Baltimore, advising that the person and papers of Mr. Eden should be at once secured. Mr. Purviance applied to Major Gist, who commanded the newly raised regulars of the Maryland line then at Baltimore, and Capt. Samuel Smith's company was detached for that purpose. The committee of safety of Maryland, resented this proceeding on the part of the military, summoned Capt. Smith before them, and, after reprimanding him, ordered him to return to Baltimore. At the same time, however, considering the presence of Governor Eden no longer consistent with the safety of the colony, they gave him notice to depart, which he did on the 24th of June, on board "the Fowey," despatched by Lord Dunmore to receive him. This nobleman, who had already ravaged Virginia, now made his appearance in the Potomac and threatened Maryland with his vengeance; and the convention found it necessary to order the militia to the coast, to cut off his communication with the disaffected and to protect the inhabitants from plunder. At the same time, they earnestly set about organizing their portion of the flying camp, which congress had called for from the middle colonies. The quota to be furnished by Maryland, was three thousand four hundred and five men, to serve until December, unless sooner discharged by congress, under whose control they

were placed.\* But a period was now at hand in which all minor notes of preparation were absorbed in that great and final step, the DECLARATION OF INDEPENDENCE.

The Decla-  
ration of Inde-  
pendence.

For a time the people had still looked forward to a reconciliation and an adjustment of their rights, and, while they resisted arbitrary exactions, always professed their readiness to submit to due authority. But their feelings towards Great Britain were rapidly undergoing a change. The war, which had been commenced against the measures of the ministry, arrayed itself against the claims of the crown. The tyranny of the king absolved the allegiance of the people. The battles fought during the past year, the victories obtained; and the sufferings so patiently endured, taught the patriots their own strength; and the mad persistence of England, in pouring new troops into the country to conquer, rather than conciliate, aroused a spirit of hostility, which rendered compromise or submission impossible. The colonists had gone too far to pause or to recede—they could only advance. They must either be subdued rebels or triumphant freemen. There was but one more step and as the great idea of nationality swelled within the breasts of the patriots, the chains of habitual dependence burst from around them, and the last emblem of colonial subjection sunk into the dust. Yet many ardent patriots paused ere they consented to adopt the measure, clinging to the hope of reconciliation: such even was the position of Maryland, as long as justice seemed to demand it;—but when the time came, she was not wanting to herself and the common cause.

As early as May, congress, looking to a long contest, recommended the colonies to adopt permanent governments for their internal regulation; and, on the 7th of June, Richard Henry Lee, introduced his famous resolution, "that the united colonies are, and of right ought to be, FREE AND

\* Appendix B.

INDEPENDENT STATES, and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved." This resolution was debated from time to time, and the conventions of the several colonies, except Pennsylvania and Maryland, immediately directed their delegates to vote in its favor. The convention of Maryland had instructed their representatives in the preceding December, and had renewed that instruction in May, to endeavor to heal the differences with the mother country; and, at the same time, secure the full and complete liberties of the colonists under the British constitution. At all events, they were not to vote for any severance of existing relations, or an alliance with any foreign power, without the previous advice and consent of the convention. Before the convention assembled again on the 21st of June, a change had been wrought in public feeling, and the first question, which was agitated in that body, was the all absorbing one of independence. The delegates to congress were ordered to obtain permission to attend the convention, and to have the national question postponed until their return with the final resolve of Maryland.

On the 28th, it was unanimously ordered that the delegates to congress should unite on behalf of the province in declaring the colonies free and independent, reserving to the State however, complete internal sovereignty.\* Principally instrumental in obtaining the passage of this resolution, was Charles Carroll of Carrollton, who had just returned from an arduous mission to Canada, whither he, with the Rev. John Carroll, afterwards first archbishop of Baltimore, Mr. Chase of Maryland, and Benjamin Franklin of Pennsylvania, had been sent by congress, to induce the Canadians to unite in the struggle against British aggression. As a reward for his labors in behalf of the measure in convention, he was, on the 4th of July, chosen a delegate to con-

\* Conventions.

gress in conjunction with Matthew Tilghman, Thomas Johnson, jr., William Paca, Samuel Chase, Thomas Stone, and Robert Alexander.

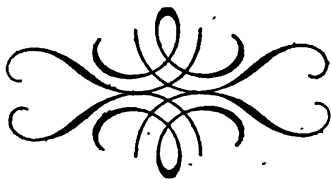
On the 2d of July, Lee's resolution was passed; and the Declaration of Independence, which had already been prepared was introduced, discussed and amended. On the 4th, it was adopted, and was signed by the delegates in congress assembled: Charles Carroll, one of the richest men of his day, having been chosen delegate after its passage, might have avoided the signature of a document which, had England conquered, would have been the recorded evidence of his treason. "There go some millions," exclaimed a member as he added his name to the great instrument; "Nay, there are several Charles Carroll's, he cannot be identified," said another in his hearing: and immediately he added to his signature, "of Carrollton," the name of his estate and used to designate him particularly.

The declaration of Independence, solemnly attested and signed by the delegates in congress and approved by the colonies, was every where received with the most enthusiastic feelings. It was read at the head of the armies of the new republic, and proclaimed amidst the applause of a people, determined to maintain it with their blood. On the 22d of July, it was publicly read at Baltimore, at the head of the independent companies and the militia, accompanied with salvos of artillery and "universal acclamations, for the prosperity of the United States." At night, the town was illuminated; and an effigy of the king of England paraded through the streets and burned in derision of his forfeited authority.

This step having at length been taken, it was necessary to frame a permanent government for the new State, and the convention ordered elections to be held for delegates to a convention to form a constitution. Then having confided the supreme power into the hands of the committee

of safety until that body should be assembled, it adjourned on Saturday the 6th of July. One of its last acts was to place the State troops at the disposal of congress. The battalion, under Col. Smallwood, and the independent companies in Talbot, Kent, Queen Anne's and St. Mary's counties, attached to his command, were ordered to proceed to Philadelphia and report themselves to the chief continental officer there, to be marshalled at once into the national service. By another resolve, in obedience to a requisition of congress, they directed the raising of two companies of riflemen and four of Germans, of ninety officers and men each—one of rifles from Harford—two of Germans, from Baltimore and one of rifles and two of Germans—from Frederick county.\* The different county committees were required to despatch the companies of the flying camp as fast as they were organized, and the State committee of safety, to superintend the immediate march of the regulars under Smallwood.

\* See Appendix for officers' names.



## CHAPTER IX.

### *The Battles of the Old Maryland Line.*

**AFTER** evacuating Boston, General Howe had retired to Halifax to wait for reinforcements. But conceiving the design of seizing New York, whose inhabitants were favorable to British supremacy, and cutting off the northern from the middle states, he embarked for that port and arrived off Long Island, towards the close of June. There were but a few American troops on the Island, placed there for the purpose of carrying off the cattle; and he landed without opposition. He was received with the greatest demonstrations of joy by a portion of the inhabitants of Long Island, New York and New Jersey; many of whom took the oaths of allegiance, and embodied themselves into a corps under the command of Tryon, the late royal governor of New York. In the early part of July, admiral Lord Howe joined his brother with a fleet of 150 sail and a reinforcement of 20,000 men—swelling his force to 30,000. The American army under Washington, after being reinforced by several bodies of militia, amounted only to 17,000 men, of whom nearly one fifth were sick and unfit for duty.

It was at this dark hour, that the Maryland line was destined to enter the field, and bear the first shock of battle. No sooner was the approach of Howe known in Maryland, than Smallwood's regiment took up its route for the seat of war. On the 10th of July, six companies under Smallwood himself, from Annapolis, and three from Baltimore, embarked for the head of Elk river,\* whence they marched

\* Annals of Annapolis.

to New York and were incorporated into Lord Stirling's brigade. Well appointed and organized, composed of young and spirited men who had already acquired the skill and precision of drilled soldiers, and coming at a time when the army was lamentably deficient in discipline, they immediately won the confidence of the commander in chief; and, from the moment of their arrival, were thrown upon the advanced posts and disposed as covering parties. On the 20th of August the four independent companies remaining in Maryland, were ordered by the convention to join Col. Smallwood, and place themselves under his command, thus incorporating the whole force of 1444 men in one body. The brigadier general of the Maryland flying camp now rapidly organizing, was also ordered to be subject to Col. Smallwood's command, and the county committees were urged to hasten the enrolments and forward the men to the camp as fast as possible.\*

Battle of  
Brooklyn  
Heights.

From the 21st of August to the 27th, the British were occupied in landing their forces on Long Island. On the 20th the Maryland troops, together with those of Delaware, were ordered over to the scene of the approaching conflict. Col. Smallwood, and Lieut. Col. Ware, were detained in New York, sitting on a court martial; they applied in vain to Gen. Washington to permit them to accompany their men, and the battalion marched under the command of Major Gist. The American army under Putnam, was drawn out to occupy the passes and defend the heights between Flatbush and Brooklyn. During the night of the 26th, Gen. Clinton, with the van of the British army, silently seized one of the passes and made his way, about day-break, into the open country in the rear of the Americans. He was immediately followed by another column under Lord Percy. To divert the attention of the Americans from their left, another division under

\* Conventions of, &c.



Grant, marched slowly along the coast, skirmishing with the light parties on the road.

Putnam fell into the trap; and Stirling was ordered with two regiments, one of which was the Maryland battalion, to meet the enemy on the route to the narrows. About break of day he took his position advantageously upon the summit of the hills, and was joined by the troops driven in by the advancing columns of the enemy. For several hours, a severe cannonade was kept up on both sides, and Stirling was repeatedly attacked by the brigades under Cornwallis and Grant, who were as often gallantly repulsed. At length, the left wing of the American force having been completely turned by Clinton, and the centre under Sullivan, broken at the first attack of Gen. De Heister, the position of Stirling's brigade on the right, became perilous in the extreme. The passes to the American lines at Brooklyn were in the possession of an overpowering British force—two strong brigades were assailing him in front, and in his rear lay an extensive marsh, traversed by a deep and dangerous creek, eighty yards in width at its mouth; nearer its head, at the Yellow Mills, the only bridge, which might have afforded the brigade a safe retreat, had been burned down by a New England regiment under Col. Ward, in its very hasty retreat, although covered by the American batteries. The only hope of safety therefore for the gallant troops, who still maintained the battle and held the enemy at bay, was to surrender, or to cross this dangerous marsh and creek at its mouth, where no one had ever been known to cross before.\*

Col. Smallwood, having arrived from New York, and learned the perilous situation of his battalion, applied to Gen. Washington for some regiments to cover their retreat. After a moment's hesitation, as to the prudence of risking more troops upon a lost battle, unwilling to abandon these

\* Col. Smallwood's letter to convention, *Annals of Annapolis*.

brave men to their fate, he detached him with a New England regiment, Capt. Thomas' independent company, which had just arrived from New York, and two field pieces, to take a position on the banks of the stream and protect the remnant of the brigade in the attempt to swim it.

The scene of the conflict was within a mile of the American lines, and whilst Smallwood was hastening to their aid, Stirling prepared to make a last effort to check the advance of the enemy and give time to a portion of his command to make good its retreat. For this purpose, he selected four hundred men from the Maryland battalion, under Major Gist, placed himself at their head, and, having ordered all the other troops to make the best of their way through the creek, advanced against Cornwallis' brigade. As they drew out between the two bodies of the enemy, it was thought by the lookers on from the camp, that they were about to surrender, but as with fixed bayonets they rushed to the charge upon the overwhelming force opposed to them, fear and sorrow filled every heart, and Washington himself wrung his hands, exclaiming, "Good God! what brave fellows I must this day lose."\* Five times this little band charged upon the powerful forces of Cornwallis; and each time driven back, again gathered their energies for a fiercer assault, until at last upon the sixth, the heavy column of the British reeled under the repeated shocks and began to give way in confusion.†

But in the very moment that victory seemed within their grasp, Grant's brigade assailed them in the rear, and fresh troops, the Hessians of De Heister, came to the aid of Cornwallis in front. Already outnumbered more than ten to one, with their ranks thinned by the terrific slaughter, and worn down by long fighting, these devoted men could no longer make head against their foes. A portion, with Lord Stirling at their head, surrendered themselves prisoners of

\* *Annals.*

† Lord Stirling's letter, Sparks, vol. 4, p. 516.

war; while three companies, animated by the most determined valor, cut their way through the crowded ranks of the enemy, and maintained their order until they reached the marsh, where, from the nature of the ground, they were compelled to break, and escape as quick as possible to the edge of the creek. This desperate conflict gave time to the remainder of the brigade to make good its retreat across the marsh and swim the water, bringing with them twenty-eight prisoners. A heavy cannonade from four field pieces, was kept up by the enemy upon the retreating troops, and a strong column of Hessians advanced to attack them in the marsh, where they must have all been cut off, as their guns were already wet and muddy, but for the unlooked for fire of the reinforcements under Smallwood, on the opposite shore, which drove the pursuers back to the main land where they formed some six hundred yards distant, while the remnant of the Marylanders swam the creek. Several of them, as well as some of the Pennsylvanians and Delawares, were drowned in the attempt, or perished in the marsh. Capt. Thomas' men aided materially in bringing over the exhausted survivors.

The loss of the Maryland troops in this long contested battle was murderous. From sunrise until the last gun was fired upon the field, they were hotly engaged; and, when the rest of the army had been routed or had fled, maintained the battle unaided, against two brigades of the enemy. "They were distinguished in the field," says a letter writer of that day, "by the most intrepid courage, the most regular use of the musket, and the judicious movements of the body." Nearly half of their force was annihilated. Their loss in killed and wounded was 256 officers and men. Capt. Veazy and Lieut. Butler were slain; and among the prisoners were Capt. Daniel Bowie, also wounded—Lieutenants William Steret, William Ridgely, Hatch Dent, Walter Muse, Samuel Wright, Joseph Butler, (wounded), Edward

Prall, Edward Decourcy; and Ensigns James Fernandes and William Courts. To this day the people of Long Island point out to strangers, the spot, where half of the Maryland battalion stemmed the advance of the whole left wing of the British army when no other troops were left upon the field, and where the best blood of the State was poured out like water.\*

The Delaware and Pennsylvania troops also behaved with great gallantry on that day.

Retreat from Long Island and N. York. The position of the American army, at Brooklyn, had now become precarious. The British, invested their works in form, and it was determined to retreat to New York before the ferry should be occupied by the enemy's fleet. On the night of the 29th, this masterly movement was effected. Although the Maryland troops had enjoyed but one day's rest, since their bloody defence at Frick's Mill Pond—or "the Yellow Mills,"—they were ordered on duty at the advanced post of Fort Putnam, within two hundred and fifty yards of the enemy's lines, and with two Pennsylvania regiments on the left, were to protect the retreat of the army. Under cover of a foggy night and morning the movement was happily effected, in spite of the disorder of the eastern troops; and it was not discovered by the enemy until the last detachment of the Marylanders and Pennsylvanians was half way across East River and out of reach. Drawn off so silently, within ear shot of the enemy, as not to give the slightest intimation of their departure to his sentinels, the Maryland troops displayed, on this occasion, their steadiness and discipline as at Frick's Mill Pond they had proved their courage. Two days after this event, Col. Smallwood's regiment was ordered to Harlem opposite to Montresore's

\* For the materials of this account of the battle—see Marshall and the Letters, &c. in Ridgely's Annals, and Spark's writings of Washington, vol. 4, pp. 74, 102, 513, 518; and Holme's Annals.

and Buchanan's Islands, of which the enemy soon took possession; so that a barrier of only two hundred yards of shallow water separated the two forces, across which the men easily conversed with one another.

As the British were now throwing forward their forces to surround the Americans on York Island, and, it was found impracticable to defend the city, in the disorganized condition of the troops, a council of war resolved that the army should be withdrawn into the lines below fort Washington. The more portable military stores had already been removed, when, on the 15th of September, the enemy effected a landing without opposition, in the face of two brigades of Connecticut militia, who fled disgracefully at the first fire from sixty of the British light infantry;\* and who, although "from the brigadier down to the private sentinel they were caned and whipped by generals Washington, Putnam and Mifflin," could not even be brought by the burning shame of this indignity "to stand one shot."† Disgusted with such cowardice, Gen. Washington immediately sent an express for the Maryland regiment, drew it from its brigade, and ordered it down towards New York, to cover the retreat of the army, knowing that he could rely upon its maintaining its position against all odds. Smallwood posted his regiment upon an advantageous eminence near the enemy, on the main road, where they remained under arms, the best part of the day until the last troops had passed: when the British dividing their main body into two columns, endeavored to out flank and surround him. Having maintained his position as long as it was necessary, and having received notice to retreat, he retired in good order and reached the lines about dusk.

The heights  
of Harlem. On the next day, a body of British, about three hundred strong, made their appearance in the

\* Sparks, vol. 4; Marshall.

† Col. Smallwood's letter to the Maryland convention.

plains below the American position, and the commander in chief, to habituate his troops to meeting the enemy, detached Col. Knowlton, with a corps of New England rangers, and Major Leitch with three companies of the 3d Virginia regiment which had just arrived in camp, with orders to attack them. The assault was made judiciously. Early in the action, however, Colonel Knowlton fell, and Major Leitch was mortally wounded; but the captains of the companies still maintained their position. A reinforcement of seven hundred men being received by the British, General Washington ordered up Major Price, with three of the Maryland independent companies, and Col. Richardson's and Griffith's regiments of the Maryland flying camp, which had joined the army on the 8th of September. These troops attacked the enemy with the bayonet, drove them from their position and were pursuing them towards their lines, when the commander in chief ordered their recall. The loss of the Americans was about fifty killed and wounded, that of the enemy more than double that number.\*

Determined to force Washington from his position, or to surround and cut off his communications, General Howe landed a strong body of forces at Frog's Neck, about nine miles above Harlaem. The Maryland troops were immediately marched to King's bridge, to reinforce the detachments already there, and to watch the advance of the enemy. At the same time, it was determined by a council of war to evacuate York Island, posting, however, a sufficient garrison to maintain Fort Washington. Accordingly, leaving the force at King's bridge to cover the rear and to secure the removal of the heavy stores and baggage, the army began at once to retire.

On the 18th of October, having been rein- White Plains.  
forced, Howe commenced the pursuit, and after several skirmishes with Glover's brigade took post on the 21st, at New

\* Sparks, vol. 4, p. 98.

Rochelle, where he was joined by another strong body of troops. Both armies now moved towards White Plains, where an entrenched camp had been marked out, and already occupied by a body of militia. As the enemy approached, Gen. Washington concentrated his forces, and prepared to give him battle. On the right of the army, and about one mile from the camp, on the road from the North river, was a hill of which Gen. McDougal, with sixteen hundred men, including the Maryland battalion under Smallwood, was ordered to take possession. On the 28th, the enemy advanced in two columns to dislodge him. Col. Rawle, with a brigade of Hessians, made a circuit to fall upon the rear of McDougal, while Brigadier Gen. Leslie, with the 2d brigade of British troops, the Hessian grenadiers under Count Donop, and a Hessian battalion, assailed him in front. At the opening of the cannonade, the militia took to flight, and the artillery fell into confusion and retired. Smallwood's Maryland regiment was immediately advanced to the foot of the hill to meet the enemy; a long and severe contest ensued. It sustained itself gallantly under the fire of fifteen pieces of the British cannon; but at length, overpowered by numbers, it was compelled to give ground. The enemy moved with great resolution, upon the remaining forces, who made but a show of resistance, keeping up an irregular fire in their retreat. Putnam, with Beall's brigade of the Maryland flying camp, now came up to reinforce McDougal; but, finding the foe already in possession of the hill, he deemed it imprudent to attempt to regain it, and drew off his men.\* The loss of the Americans was between three and four hundred killed, wounded and taken.

The Maryland line suffered severely: Colonel Smallwood himself was among the wounded. The regulars of that gallant corps, worn down by the hard service they had endured, and, the effects of their wounds, aggravated by the

\* Sparks, vol. 4, p. 523; Marshall.

want of proper medical attendance and hospital supplies, had been much weakened in their effective force. Even on the 12th of October, there were three hundred officers and men on the sick list—many of them incapable of doing duty—Majors Price and Gist, and Capt. Stone, were lying ill in New Jersey; and Col. Smallwood and Lieut. Col. Ware, even prior to the battle, were scarcely able from debility to command their troops.\* Yet under all these trying circumstances, almost without field officers, the Maryland line displayed its wonted valor at White Plains, and, by its sustained resistance to an overpowering force, won new honor for its State. Its loss in this hard fought battle was over one hundred men; and from this terrible slaughter may be estimated the obstinacy of its defence. It had fought three battles in the three last months; it had been the first of the revolutionary troops to use the bayonet against the British regulars, and had used it freely and with effect in each one of these fierce conflicts.

Gen. Washington continued to fortify his position; and Howe, satisfied of its strength and the courage of the troops who defended it, determined to await the arrival of six more battalions which joined him two days after. Washington, having now removed his stores and heavy baggage to a much stronger ground in his rear, unwilling to risk a battle with Howe's present force, withdrew during the night to North Castle, about five miles from White Plains, and stationed Gen. Beall's brigade of Maryland militia at the bridge over Croton river. Abandoning the hope of a successful assault upon his new position, Gen. Howe broke up his camp and retired slowly down the river, towards King's bridge, determined to obtain possession of Forts Washington and Lee. As soon as the American commander learned from his scouts that Howe's march southward was not a feint, suspecting that he designed striking through the

\* Smallwood's letter in "Annals."



Jerseys to Philadelphia, he divided his army and, leaving three thousand men at Peekskill, crossed the Hudson with the troops raised south and west of that river.

The storm-  
ing of Fort  
Washington. Anxious to preserve his little army, he had directed the evacuation of Fort Washington, upon the approach of the enemy, but having been assured of the spirit and resolution of the garrison, he determined to risk its defence. On the 16th of November, Gen. Howe prepared to assail it. It was defended by some of the best troops in the American service, under the command of Col. Magaw, a brave and experienced officer. He had posted his men in three divisions. Col. Cadwallader of Pennsylvania, commanded within the lines: Col. Rawlings of Maryland, with his regiment of riflemen,\* was stationed on a hill to the north of the lines; while Magaw himself remained within the fort. Howe arranged his forces into four columns of attack, and about ten o'clock moved them to the assault. The first division of five thousand Hessians and Waldeckers, under Gen. Knyphausen, advanced against

\* This regiment was composed of three of the old rifle companies and four new ones from Virginia, and two from Maryland, ordered to be raised by congress, on the 27th of June, 1776. The officers were, Col. Stephenson of Virginia, Lieutenant Col. Moses Rawlings and Major Otho Holland Williams of Maryland. Two of the old companies were the Maryland companies, raised in the preceding year, which had served with the army before Boston. These companies were now commanded by Captain Philemon Griffith, lieutenants Thomas Hussey Lucket, Adamson Tannehill and Henry Hardman, and Captain Richard Davis, lieutenants Daniel Cresap, Nieman Tannehill and Elijah Evans, all from Frederick county. The two additional companies were raised, one in Frederick, under captain Thomas Beale, lieutenants Peter Contee Hanson, James Lingan and Richard Dorsey; and one in Harford, under Capt. Smith. Rawlings' regiment thus contained four Maryland companies. The four companies of Germans, raised in Harford, Frederick and Baltimore counties, under capts. Heiser, Graybill, Fister and Keeperts, were formed into a battalion with four similar companies raised in Pennsylvania, under the command of Col. Hauseigger of Pennsylvania, and Lieutenant Colonel Stricker and Major Weltner of Maryland.—*Journals of Congress; American Archives, &c.*

Col. Rawlings on the north, while the fourth division moved against Cadwallader, and the second and third crossed the East river in boats and landed within the lines. The attack of the first and fourth divisions was received with great steadiness and spirit by the Maryland and Pennsylvania troops at their respective positions: but the detachment stationed on the East river soon gave way, and Col. Cadwallader was compelled to draw off a portion of his men to their assistance. Thus weakened, his main body was soon overpowered and began to retire.

Rawlings still maintained his ground with undiminished spirit, although not protected by entrenchments. Posted among the trees, his riflemen, the hardy sons of the Maryland and Virginia mountains, poured in upon the advancing column a murderous fire, which it in vain endeavored to sustain. The Hessians broke and retired. Again they were brought to the attack, and again repulsed with dreadful slaughter. The Maryland riflemen remembered the destruction of their brethren of the battalion at Frick's Mill Pond, by the Hessians, and did not forget to avenge it. But what could a single battalion of riflemen, even of such matchless skill and courage, effect, opposed to five thousand men with the bayonet, unsupported as they were, and alone continuing to maintain their position. Had every other post been defended as theirs was, victory would have crowned the American arms that day.\* But all the other troops were already in full retreat. The three divisions of the enemy were about to fall upon their rear, whilst in front they contended with a force far greater than their own. At length by sheer fighting and power of numbers, the Hessians reached the summit of the hill. Rawlings, perceiving the danger to his rear and learning the retreat of the Pennsylvanians, abandoned his position, as no longer tenable, and retired under the guns of the fort. Being again summoned, Col. Magaw,

\* Marshall, Sparks, and Wilkinson's Memoirs.

finding it impossible to maintain the post, as his ammunition was nearly exhausted, surrendered the garrison prisoners of war. Two thousand six hundred men, of whom two thousand were regulars, were taken prisoners—a severe loss to the American army. Among the captives were Major Otho H. Williams, lieutenants Luckett, Lingan, Davis and Evans, and others of the rifles. Some few of the Marylanders escaped across the river.\* The loss of the enemy was nearly twelve hundred killed and wounded, more than half of which was sustained by the Germans in their assault upon Rawlings' Maryland and Virginia riflemen.

Immediately after this disaster, Fort Lee was evacuated, and Washington, greatly weakened by the loss of men, retreated on the Jerseys. The term, for which most of his troops were engaged, was about to expire and they began already to leave the camp in great numbers. Every effort to raise the militia of New Jersey and Pennsylvania to supply their place, proved ineffectual; and the American general commenced his famous retreat towards the Delaware. He reached the Raritan on the 1st of December, the day on which the term of the Maryland and Delaware flying camp expired, and he was compelled to discharge the greater portion in the face of the enemy. Some few remained as volunteers and many of the Marylanders re-enlisted in the new regiments then forming by the State. The Pennsylvanians, whose term extended to the 1st of January, began to desert in great numbers. With an army reduced to less than four thousand men, Washington retired slowly before the immense force of the enemy, the bare feet of his destitute soldiers leaving their foot prints marked with blood upon the frozen ground. On the eighth of December, he crossed the Delaware, secured all the boats so as to prevent the further advance of the British, and placed his diminished forces in positions best calculated to defend the passage of

\* Sketch of the Life of Everheart.

the river. After a futile effort to obtain the means of transporting his troops across the Delaware, Howe distributed his men in winter quarters, on the Jersey shore, calmly awaiting the freezing over of the Delaware to march into Philadelphia, and expecting daily the dispersion of the shattered American army.

The critical position of Philadelphia, the seat of the federal government, the reduced condition of his army and the despondency of the whole country, required at the hands of the American leader, a bold and vigorous stroke: and he prepared to make it. With the few continental regiments of Maryland, Virginia, Pennsylvania and New York, Rawlings' and Hand's rifles, and the German battalions, he opened the campaign in the midst of winter. In the dead of night, he crossed the Delaware, at McKonkey's Ferry, with twenty-four hundred continentals, and, dividing this small force, threw one column towards Trenton by the river road, and led the other in person to the same point, by the Pennington road. At eight o'clock, he drove in the out-posts and assailed the town. At the same time, the fire of the second division was heard in the opposite direction. The British under Col. Rawle, taken by surprise, attempted to form; but they lost their commander in the very opening of the action, were thrown into confusion, and endeavored to make their escape by the Princeton road. A detachment, however, cut off their retreat, and the whole body threw down their arms and surrendered. Twenty were killed and one thousand taken prisoners. The American loss was only two killed, two frozen, and five or six wounded. The victory was complete and almost bloodless. Yet one portion of Washington's extensive and beautiful design was not carried into effect. Gen. Irvine had been ordered to cross with his force and attack the enemy at Burlington, and Gen. Cadwallader to come up on the rear of the enemy at Trenton. The former

could not get his artillery over, prevented by the swollen current and floating ice; while the latter was unable to effect a passage with any portion of his troops: and thus that part of the comprehensive scheme, which aimed at sweeping the enemy from the Delaware, remained unexecuted. Owing to this failure a body of five hundred of the British, stationed in the lower part of Trenton, finding the road open, escaped to Burlington. With his prisoners and the captured stores, Gen. Washington immediately recrossed the Delaware to his former position.

The Battle of  
Princeton.

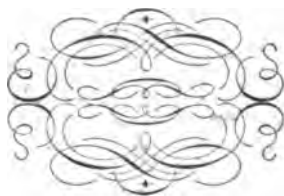
The victory at Trenton raised the spirit of the country: the new levies came in with more rapidity, and the American leader, to follow up his success, recrossed the river, and took up his position at Trenton with five thousand men. Immediately, a strong column of the enemy was advanced against him, and he retired behind the Assumpinix, which runs through the town. Finding all the passes guarded, the British encamped and lit their watch fires for the night, intending to begin the assault at break of day. During the darkness, having heaped up his camp fires with fuel to deceive the enemy, Washington drew off his army, and marched silently upon Princeton, where a smaller British force was stationed. As they neared the town, Gen. Mercer was despatched with his brigade, composed of the remnants of the Maryland regiment under Capt. Stone,\* (afterwards governor of the State), the Delaware regiment, and some militia, numbering in all three hundred and fifty men, to destroy the bridge over Stonybrook, by which Lord Cornwallis must march if he came to the relief of the force at Princeton. One of the regiments, stationed at Princeton under Mawhood, had already commenced its march to join Cornwallis: at day break this detachment and Mercer's brigade came upon each other

\* Washington, in several of his letters, says that Smallwood's regiment was now reduced to a mere handful of men.

near the bridge. Mercer's brigade rapidly pressed on to the summit of a hill upon the road, and assumed an advantageous position behind a hedge near Clark's house. Mawhood attempted to dislodge him. At the first fire, Mercer's horse was disabled, and one of his colonels mortally wounded and carried to the rear. This caused a slight confusion, which was augmented by the death of Capt. Neal, who commanded the artillery, and Mercer himself, while endeavoring to rally his men, received a bayonet wound which proved mortal. Many of his troops were only armed with rifles, and, unable to withstand the bayonet, they broke after the third fire.\* At this moment Washington ordered up the main body of the army, and, throwing himself into the midst of the fire of the enemy, led them on in person to the charge. He rallied Mercer's men, under a heavy cannonade from the enemy, and the Pennsylvanians and the seventh Virginia regiment coming rapidly up, the whole body rushed forward with a loud cheer. The struggle was short and decisive. The British were broken and routed. The regiments in Princeton made but a moment's stand, and the Americans entered the town in triumph. One hundred of the enemy were killed on the spot, and three hundred taken prisoners: the loss of the Americans was about one hundred killed and wounded, among whom were many valuable officers. At break of day Cornwallis discovered that the American army was gone; and suspecting the plan of Washington, hastily retraced his steps towards Brunswick to protect his magazines and heavy stores. His advance entered Princeton just as the rear of the American army abandoned it, on its way to assume a position at Morris town to recruit the men from the fatigues and hardship which they had endured. In both these battles the Maryland line sustained its reputation for courage, steadiness and discipline.

\* Wilkinson's Memoirs, vol. 1, p. 142.

The good results of these victories were immediately felt: confidence was restored, and the hopes of the people became brighter. They effectually recovered New Jersey from the British, against whom the Americans, constantly reinforced by militia from Maryland and the adjoining states, in spite of the severity of the season, maintained an uninterrupted partizan warfare, cutting off their foraging parties, striking their outposts, reducing them to great suffering for want of provisions, and yet always avoiding any decisive action. The British soon found themselves under the necessity of contracting their cantonments; and, yielding to the masterly skill of their great opponent, abandoned most of their conquests. Thus closed the campaign of 1776, a dark and bloody one, yet full of glory, to the Maryland line, which, a powerful regiment at the opening in the month of August, was now reduced down to a mere handful of men under the command of a captain. Indeed the *old* or first line may be said to have been annihilated in the battles, which it fought, from Brooklyn to Princeton.



## CHAPTER X.

### THE NEW CONSTITUTION AND STATE GOVERNMENT.

**I**N the meanwhile, in compliance with the requisitions of the late convention, elections were held throughout the State on the first day of August, 1776, for delegates to a new convention to form a constitution and state government. The number of delegates, their qualification, and the qualifications of the voters, the judges of the election, and the mode of proceeding, were fixed by the resolutions which directed the holding of the elections. On the 14th of August, this new body assembled and organized by unanimously electing Matthew Tilghman president. After having devoted several days to the transaction of general business, which had accumulated since the adjournment of the late convention, and having completed their own organization, the convention selected by ballôt, the president, Messrs. Carroll, Paca, Carroll of Carrollton, Plater, Chase and Goldsborough, to prepare and report a declaration of rights and form of government.

While this committee, composed of the ablest and most distinguished patriots of Maryland, were busily laboring at their arduous duty, the convention was directing the whole energies of the State to a vigorous prosecution of the war; and, at the same time, conducting the general legislative and executive branches of the government: On the 6th of September, they divided Frederick county, and erected, out of parts of it, two new counties, Washington and Montgomery,—thus named in compliment to the great commander in chief, and the gallant Irishman, who eight months before, under the walls of Quebec, had laid down his life



batting for American liberty. On the tenth the committee reported the bill of rights and constitution, which were laid over, and on the 17th, ordered to be printed and disseminated among the counties for public information and discussion: and, to enable the delegates, to ascertain the sentiments of their constituents upon this all important subject before they proceeded to act upon it, the convention adjourned until the 30th of the month.

When that body reassembled, however, public business pressed so heavily upon them, that the consideration of the constitution and bill of rights, was postponed from day to day while matters of more immediate importance were disposed of. The condition of their troops and the lamentable deficiency of arms and ammunition exacted immediate attention. Ample supplies were determined on, and the committee of safety were ordered to import, at the risk of the State, four thousand stand of arms, as many good gun locks, fourteen pieces of cannon, twenty tons of powder and forty tons of lead, to be purchased with wheat, tobacco, flour and other Maryland produce to be for that purpose exported by the State.

New organization of the line.

Congress moved by the remonstrances of General Washington, and satisfied of the inefficiency of hasty drafts of militia in the field, at length resolved to raise a strong regular army, and called on the states to furnish eighty battalions of men. The quota of Maryland was set down at eight battalions numbering four thousand men, being one tenth of the whole army. The convention took the matter into consideration, and resolved, that, although the quota assigned to them, being founded on the joint amount of black and white population, was larger in proportion than that levied on the northern states, still, "desirous of exerting the most strenuous efforts to support the liberties and independence of the United States, they would use their utmost endeavors to raise the eight

battalions demanded from them." But they refused to vote bounties of land to the recruits, in accordance with the recommendation of congress, lest, not possessing a sufficient quantity of unsettled territory, they should be involved in great difficulty in the fulfilment of such a pledge. They, therefore, determined to substitute a bounty of ten dollars, payable to each recruit instead of land. Four commissioners were immediately despatched to the camp to re-organize the Maryland troops, already in service, upon the new footing, and to induce as many as possible of the regulars, and militia of the flying camp, to enlist for the war. The independent companies were melted into a second battalion and the two ordered to be increased to the continental standard. The commissioners were furnished with the blank commissions, sent by congress, and required to follow the advice and counsel of the commander in chief, in appointing and promoting the officers of the new battalions.

Having thus disposed of the necessary military arrangements, the convention immediately took up the bill of rights and constitution. They were fully discussed from day to day, revised and amended, and, on the third of November, the bill of rights was adopted. On the eighth of the same month, the constitution of the State was finally agreed to, and elections ordered to carry it into effect.

While these two instruments were under discussion, Virginia adopted her constitution; and, in one of its articles, insisted upon certain claims which infringed upon the known rights of Maryland—asserting jurisdiction over the Potomac, the Pocomoke and the Chesapeake, and her old claims to the unsettled territory of the west. The convention immediately paused in their discussion, to maintain the rights of Maryland, unanimously and in the strongest terms denounced these pretensions, and insisted, that "if the dominion of those lands should be established by the blood and treasure of the United States,

Claims of  
Virginia.

such lands ought to be considered as a common stock, to be parcelled out, at proper times, into convenient free and independent governments." Again, in November, when addressing congress, they declared that this territory, claimed by the British government, if conquered from them "by the blood and treasure of all, ought in reason, justice and policy, be considered the common stock of all."\* Thus, while building up the fabric of their own State government, the sage legislators of Maryland marked out for futurity that grand system of expansion of the republic, which has since made this union one of the most extensive, flourishing and powerful nations of the earth.

The form of government. Under the new constitution, the government was composed of three distinct branches, the legislative, the executive, and the judiciary. The legislative authority was vested in a Senate and House of Delegates, whose several powers and privileges were appropriately marked out. The house of delegates was composed of four members from each county and two from each of the cities of Baltimore and Annapolis, chosen immediately by the people, *visd voce*, at elections held by the sheriffs of the counties at their respective court houses. The senate consisted of fifteen members, nine from the western and six from the eastern shore; their term of service was extended to five years, and they were chosen by a college of electors composed of two delegates elected *visd voce* by the people of each county, and one from each of the cities of Baltimore and Annapolis.

The executive authority of the State was placed in the hands of a governor, elected annually by joint ballot of the two houses of the legislature: he was assisted, in the execution of his office, by a council of five members, chosen by the same bodies. His authority was simply executive. He possessed no veto upon the legislative proceedings, and no

\* Conventions of Maryland.

means of interference with that branch of the government. He was, by his office, commander in chief of the military forces of the State, was vested with the power of appointing, by and with the advice of the senate, judicial and civil as well as military officers. The constitution, besides these and other ordinary powers, conferred upon him authority in matters which now appertain to the federal government.

The judicial system of the State was composed of the general court, the court of chancery, and the court of appeals—besides a court of admiralty, whose jurisdiction was taken away by the adoption of the constitution of the United States, at a later period. The sheriffs of the different counties were elected by the people, and the clerks of the courts were appointed by the judges. The register of wills received his commission from the hands of the governor. Two treasurers, one for the eastern and one for the western shore, were selected by the legislature; and a register of the land office of either shore nominated by the governor and approved by the senate.

The elective franchise was limited by a property qualification, for the men of that day, just emerging from monarchical rule, were not prepared for the full and enlarged equality of later times. Every voter was required to be above the age of twenty-one years, to possess a freehold of fifty acres of land in the county in which he resided and offered to vote, or property within the State of the value of thirty pounds current money; and to have been a resident of the State for one year prior to the day of election. The qualifications of members of the legislature were still farther restricted. Besides the usual requisites of a voter, the amount of property which the aspirant to the house of delegates must possess to enable him to take his seat, was raised to five hundred pounds instead of fifty. Senators were required to be above the age of twenty-five, and to own property of a thousand pounds in value; while it was necessary

for the candidate for governor to possess a freehold of lands and tenements, of the value of a thousand pounds, to have resided three years in the State prior to his election, and to have reached the age of twenty-five.\* Many of these provisions have long since been stricken from the constitution by the wisdom of succeeding years; and the capacity of a citizen to exercise the right of suffrage, to perform the duties of a legislator, or to fill the responsible office of governor, is no longer estimated by the breadth of his acres or the weight of his purse. But to judge rightly of the progress of that period, it must not be measured only by the present. It was many steps in advance of the period, which had preceded it, and it is not strange, that, though it saw much accomplished, it left much to be done by the future. All great and true works are the results of unconscious progress.

Looking back from the point to which they had ascended, the members of the convention beheld, far below them, the scattered fragments of an overthrown monarchical rule, and proprietary government; around were the incipient beauties of the new republic; and before them the dim future of a destiny, whose boundless glory they could not well conceive. They did their work unconsciously, and it became the starting point of an unlooked for greatness. It was the inspiration of a noble idea working out its accomplishment by their hands. They met the wants of their time: but new wants sprang up, and it is the struggle and success of these, that create and constitute history.

In their solemn and beautiful declaration of rights, the convention of 1776 defined the platform, upon which they stood: and so true was the inspiration of the spirit of freedom, that the reforms and the progress of subsequent times, have been but little more than the evolution of the principles, which were then announced. They declared the

\* Original Constitution of Maryland, 1776.

popular origin of government, while they insisted upon the submission of the people to the supreme authority constituted by themselves: and they defined those rights of the citizen, which no power could absorb. They struck away the stain of church supremacy, and left the conscience of man as free and untrammelled as it was, when Leonard Calvert and his followers landed at St. Mary's. "It is the duty of every man to worship God, in such manner as he thinks most acceptable to him," was their noble proclamation to the world; and if they confined the obligation and the privilege within the limits of Christianity, it was because men could not yet understand a larger liberty.

To introduce the new government, the constitution provided that an election should be held on the 25th of November, 1776, for senatorial electors, who were ordered to assemble at Annapolis on the ninth of December, to select nine persons, of due qualifications, from the western and six from the eastern shore, to compose the first senate of Maryland. On the 18th of December, an election was to be held in the several counties, for members of the house of delegates, and at the same time and place for sheriffs for the respective counties. The tenth day of February, was fixed for the beginning of the session of the General Assembly, and the second Monday of November, 1777, and annually thereafter, for the election of governor, by both houses on joint ballot. The legislature however, was authorized, in the meanwhile to elect a proper person to act as governor, until the regular period appointed by the constitution for his selection should arrive. Having thus provided for the vigorous springing up of the germ which they were planting, and having appointed delegates to congress, with instructions to maintain unimpaired the independent sovereignty of Maryland while they consented to a confederation with the sister states, the convention deposited the supreme power in the

The first republican governor and legislature of Maryland.

hands of the committee of safety, until the new government should arise phoenix like from the ashes of the old; and adjourned on the eleventh day of November, 1776.

First State Legislature. The elections took place at the specified times without interruption: and on the fifth of February, five days earlier than the period fixed by the convention, the committee of safety, by virtue of the extraordinary powers vested in them, caused both houses of the legislature to assemble at Annapolis. The nature of their acts explain the pressing necessity, which had induced the committee of safety to call them together. During the panic created by the disastrous retreat through the Jerseys, congress, on the 12th of December, had removed from Philadelphia to Baltimore. On the 27th they conferred on Gen. Washington extraordinary powers—for the raising of troops and the conduct of the war. Great efforts were, in consequence made to strengthen his army, which was soon further weakened by the battles of Trenton and Princeton. The effects of these battles, was such, however, as to relieve Philadelphia from immediate fear of the enemy, and, in February, congress again returned to that city. In each succeeding action, the Maryland troops had been further reduced, until Smallwood's battalion and the seven independent companies, which had entered the campaign fourteen hundred strong, had been worn down to a mere captain's command; and in the face of this great loss, and the largeness of the drafts made upon Maryland, it required unusual exertions to fill up the quota of eight battalions. The legislature, therefore, immediately turned their attention to the recruiting service, which they endeavored to expedite. They also made every effort, to raise military supplies for the destitute soldiers in camp, and to provide means for transportation of the material of war through the State. The provisions of several of these laws very graphically represent the condition of the country at that

period, and the slender resources on which the army was compelled to rely. By the act of 1777, chapter 3d,\* the governor was required to appoint, in every hundred or district, a blanket collector, whose duty it was to visit every dwelling house and compel the inhabitants to furnish, under oath, a statement of the whole number of blankets, which they possessed, and of the portion not in actual use; one half of which surplus he was ordered to seize for the use of the army, paying their owners the appraised value in State issues. To favor enlistments in the national or state services, every recruit was exempted from arrest for debts under twenty pounds currency, and his property entirely freed from attachment or execution. To provide comfortable quarters for the new recruits while preparing for the field, barracks were ordered to be erected at Frederick and the head of Elk, for the accommodation of two battalions each, and at Annapolis for one. At the same time that they thus provided for defence against the foreign enemies of the State, the legislature wisely turned their eyes upon those equally dangerous domestic foes, who by their restless intriguing and firm adherence to the British crown, weakened and distracted the energies of the patriots. A law was passed to prevent the growth of toryism, and to punish persons guilty of treason to their country; and, as at such periods, promptness of action is more necessary even than severity, the governor was empowered to commission special courts for the speedy trial of culprits charged with these offences. On the 11th of February, the Assembly directed a proclamation to be issued against the disaffected in Worcester county, who, only repressed for a time by the active measures of the committee of safety for the Eastern shore, had again broken out in open insurrection. They offered pardon to all who would submit and disperse within thirty days excepting, however, fourteen of the leaders.

\* Hanson's Laws.



As the disturbed condition of the county appeared to require active measures, to overawe the malcontents, Smallwood and Gist, then in the State superintending the formation of the new line, were ordered to march thither with a Virginia regiment of regulars, the Annapolis independent company, the company of Matrosses and Captain Godman's Baltimore artillery. The promptness of these measures secured submission. The disaffected were disarmed—the most influential sent in custody to other and more loyal counties, and their estates placed in the hands of commissioners for safe keeping.\*

First State  
Governor.

In accordance with the provisions of the constitution, the two houses proceeded, on the 13th of February to select a suitable person for governor of the State. Their choice fell upon Thomas Johnson.† On Friday, the 21st of March, 1777, he was publicly proclaimed first republican governor of Maryland, at the state house, in the presence of a great concourse of people, the several branches of government, the civic authorities of the city of Annapolis, the military, and many strangers. The announcement was hailed by three volleys from the soldiery drawn up in front of the state house; and a salute of thirteen rounds was fired from the batteries in honor of the new confederacy. A sumptuous entertainment was then partaken, and the festivities of the day were closed with a splendid ball: a renewal of that ancient and pleasant amusement, for which Annapolis, the Athens of the colonies, had been so widely celebrated in the days of the Proprietaries, but which had been solemnly discontinued in the dark hours of the opening struggle.‡ Thus the new government was fully organized and in active operation: the general and county committees

\* Journals House Delegates, 1777; Journals of Congress.

† The vote for governor was as follows: for Thomas Johnson, jr. 40; Samuel Chase, 9; Matthew Tilghman, 1; George Plater, 1; Wm Paca, 1.

‡ Annals of Annapolis.

of safety surrendered up their powers and ceased to exist; and the law of the constitution spread its ægis over the State.

The Assembly having fully organized the new seven regiments, required from the State, and settled the rank of the officers,\* adjourned on the 20th of April; on the 15th of June, however, they were again assembled, for a few days, to authorize the governor to detach a portion of the State's artillery companies to Philadelphia to join the continental army, which was then very deficient in that arm. In the following October, they took measures to raise an additional quota of two thousand men to serve for three years in the Maryland line, assigning to each county a due proportion to be furnished by it, and made further preparations to supply their men in camp with blankets and necessary clothes. With all their exertions, however, the governor and the legislature found it difficult to place their quota upon such a footing as they desired. Besides the regular complement of eight battalions required by congress to complete the army, the State furnished men to many other corps. At the solicitation of Gen. Washington, sixteen additional battalions were raised by congress, exclusive of the State lines. Colonel Nathaniel Gist's, and Hazen's regiments—the latter originally intended to be formed of Canadians—and Spencer's, Baylor's, and Lee's corps, were partly raised in Maryland; and the legislature always extended to their officers and men in them the same gratuities and the same comforts, which they provided for their own line, although those from the other states in these corps were too frequently neglected. Whilst they were thus busy in raising the material of war at home, their troops, under the new organization, were gallantly doing their duty to their country in the field.

\* See Appendix C. Only seven new battalions were organized: probably the Germans and rifles were considered equivalent to the eighth.

## CHAPTER XI,

### THE CAMPAIGN OF 1777.

**AFTER** the battle of Trenton and Princeton, Washington maintained his position in New Jersey, and a constant series of skirmishes was kept up by his reduced army, of which scarcely more than a thousand were continentals. So severe had been the preceding campaign, that more than two-thirds of the regulars engaged had perished or been rendered unfit for service; and when, by the arrival of the new recruits and quotas from the several states, the army was increased to eight thousand men, at least half of its number were totally ignorant of discipline and had never looked an enemy in the face. Thus weak and unprepared, Washington feared for the safety of Philadelphia, and with all the militia he could assemble, took post at a strong camp near Middlebrook. Howe, cautious in all his movements, even to timidity, feared to attack him, and resolved to approach Philadelphia by another route. After a series of unavailing movements, he embarked his whole force for the Delaware, but, changing his design at the mouth of the bay, suddenly made his appearance in the Chesapeake, on the 21st of August, with two or three hundred sail of men of war and transports.\*

Enemy in the  
Chesapeake.

Gov. Johnson immediately issued his proclamation, calling on the militia of the State to arm and hold themselves in readiness; and directing that at least two companies out of every battalion should at once take up their march to the head of the bay. "To defend our liberties requires our exertions," exclaims this patriotic ap-

peal, "our wives, our children, and our country implore our assistance—motives amply sufficient to arm every one who can be called a man." Although the people every where answered the appeal by a resort to arms, influenced by those motives, which have always detained the militia in the vicinity of their homes when an invasion threatened them, few could be prevailed on to march to the head of Elk and leave their families unprotected against any sudden inroad of the enemy or his tory adherents. While, therefore, the fleet hovered about the bay, the men of the neighboring shores, although armed and ready for defence, refused to be drawn from their homesteads, and the only reliance of the governor for disposable militia, was necessarily on the counties of the interior. The hostile fleet, however, having anchored for a while off the mouth of the Patapsco, proceeded to the head of Elk, where Howe intended to land his army and strike towards Philadelphia.

While this invasion threatened the State, the Maryland line was engaged in the attack upon Attack on Staten Island. Staten Island. Upon its increase to seven battalions, it had been divided into two brigades: the one composed of four battalions, was placed under the command of Smallwood who was promoted to the rank of brigadier general: and the other, formed of the three remaining battalions and Hazen's regiment, was assigned to Gen. Deborre, a French officer in the service of the confederacy.\* Col. Richardson's battalion in pursuance of an order of congress, had been marched to Sussex county, Delaware, to overawe the tories of that State and the Eastern Shore. The British force stationed on the island ravaged the main land almost with impunity; and Gen. Sullivan, who commanded the Maryland division then lying at Hanover, conceived the design of attacking and carrying off a part of their force, consisting of a thousand tories stationed on the shore at some distance

\* Sparks.

from the main body. For this purpose, he divided his troops into two columns: the first brigade under General Smallwood was to cross at Halsey's Point and attack Col. Buskirk's regiment, which lay near Decker's Ferry. The second, under General Deborre, with a few Jersey militia, under Col. Frelinghuysen, was again subdivided when it reached the place of embarkation, twenty miles from its encampment. Here the troops found but six boats: three were allotted to Col. Ogden, who commanded one detachment of Deborre's column, destined to attack Col. Lawrence at the old Blazing Star ferry, and Cols. Dungan and Allen, who were stationed about two miles from each other towards Amboy. The remaining boats were assigned to General Deborre, who accompanied by Sullivan in person, was to attack Col. Barton, near the new Blazing Star ferry, and then to form a junction with Ogden. All the troops were transported into the island before daybreak.

Misled by his guides, Gen. Smallwood commenced his attack at a different point from that intended, and Buskirk's regiment effected its escape: but Ogden and Deborre succeeded to a very considerable extent. Lawrence and Barton were completely surprised, and both of them, with several of their officers and men, were taken. The alarm being now given, it became necessary to draw off the troops as speedily as possible; but from the scarcity of boats a portion of the rear guard fell into the hands of the British, after making a gallant defence against their main body, under Gen. Campbell. In killed, wounded and prisoners, the Americans lost 164 officers and men; but brought off from the island 141 prisoners, of whom eleven were officers. In addition, the enemy suffered severely in killed and wounded in the several actions.\* On his return from this expedition, General Sullivan received orders to join the commander in chief, and the Maryland line once more

\* Marshall; Sparks.

approached their native State. But many of them were destined never to enter its border. Finding their homes freed from the vicinity of the enemy, the militia of Maryland, now began to assemble and march to the head of the bay; and Gen. Smallwood was ordered to leave his brigade and lead the men of the Western shore—while Col. Gist was detached from the line to lead those of the Eastern shore. Until the arrival of these officers, who were marching with the division from New Jersey, the militia were placed under Gen. Cadwallader of Pennsylvania. Colonel Richardson's regiment of continentals was directed to proceed from their station on the Eastern shore to the same place of rendezvous. Every exertion was made by the State, to aid and increase the army of Washington, who was now marching towards the Brandywine, resolved to risk a battle in defence of Philadelphia.

On the 25th of August, the British army landed at the head of Elk, and, having destroyed the few Battle of the Brandywine. public stores, which had not yet been removed, began their march upon Philadelphia. After several brisk skirmishes, the Americans took post behind the Brandywine; and on the 10th of September, the British advanced to force their position. The main body marched towards Chadd's ferry, and, after a short contest, drove in Gen. Maxwell's brigade which had been thrown across the river to gall their advance parties. About eleven o'clock, Washington was informed that a strong body of the enemy, under Cornwallis having made a detour, was striking for Tremble's and Jeffrey's fords; and he formed the bold design of crossing the river and attacking the column in his front. But having received conflicting information from Sullivan, he abandoned the attempt. About two o'clock, it was discovered that the movement was real, and Sullivan, with the Maryland line and Stirling's and Stephens' division, was ordered to change his position and meet Cornwallis. This was

immediately effected after a rapid march; but before he could form, his right-wing, composed of the Maryland division, was attacked by the enemy; and Deborre's brigade broke after a slight defence. The centre followed. The right wing attempted to rally, but was again thrown into confusion by a brisk charge of the enemy; and the whole line gave way. Washington, with Greene's division hurried to the scene of action; he only arrived in time to cover the retreat of the army. At the same moment, General Knyphausen crossed at Chadd's ford, and drove back the forces stationed there to oppose him.

The loss of the Americans was 300 killed, 600 wounded and 3 or 400 taken prisoners: that of the enemy was about five hundred killed and wounded. The defeat of Washington's army in this battle has been justly attributed to the confusion, created by contradictory intelligence, and the careless manner in which Sullivan brought his men into action. It is certain that the Maryland line, although it behaved gallantly, scarcely sustained its ancient reputation while under him, nor equalled its subsequent glory when led by its own chiefs in the south. Deborre, who commanded one of its brigades was a foreigner, unpopular with his men and entirely without their confidence. His brigade was the first to break: his behaviour was made the subject of inquiry by congress, whereupon he resigned his commission. It must be considered, however, that the division went into action without several of its principal and most popular officers. Gen. Smallwood and Col. Gist, who possessed the entire confidence of the men were absent at the head of the militia, leaving their corps without their usual leaders, a material circumstance with inexperienced troops. In addition to this a misunderstanding occurred upon the field between Sullivan and Deborre, which necessarily increased the confusion. The night before the battle the men had lain on their arms, and slept but little—they were under arms

and in line the whole day without food, and were hurried into action only half formed, after a rapid march and sudden change of position. The expedition of Sullivan against Staten Island had already excited dissatisfaction, and an inquiry in his conduct was ordered by congress. He was however, honorably acquitted.

The American army retired towards Philadelphia, and encamped at Germantown to repose from its fatigues: but congress having resolved that another battle should be risked in defence of that city, Gen. Washington recrossed the Schuylkill and advanced along the Lancaster road. Gen. Smallwood, still in the rear of the enemy, was ordered to collect all the forces he could, to harass their march, and to cut off their foraging parties. The advance of the two armies came in sight, at Goshen, and a sharp skirmish immediately ensued: but a violent rain coming up, the American ammunition, which was badly secured, was rendered unfit for use, and the troops, being mostly without bayonets, were compelled to retire. The retreat was continued across the Schuylkill, where a new supply of powder could be obtained, in time to risk another battle. This sudden movement placed Smallwood's troops in great jeopardy, unsupported in the rear of the British army. His force consisted of 1150 Western Shore militia, and 700 Eastern Shore, under Gist, besides Richardson's regiment of the Maryland line. He was ordered to join the army at French creek—but before he could execute the movement, Gen. Wayne was detached to form a junction with him, and, thus strengthened, to harass the enemy's rear.

On the night of the 20th September, General Wayne bivouacked near Paoli, three miles from the enemy's camp. Learning his position from his spies, Howe despatched Gen. Grey to surprise him. The picket guards were driven in with the bayonet; but the division instantly formed and several regiments by sustaining the

Defeat of  
Wayne.



attack with great firmness; gave time to the remainder to retreat. At the commencement of the action, Smallwood was about a mile distant from Wayne, not yet having joined him. His force, principally composed of raw militia, could not be relied on in a night attack: and, upon being assailed by a part of the enemy, were routed with the loss of only one man. The continentals formed again at a small distance from the first ground, but the enemy drew off without renewing the action. The American loss was about three hundred men; that of the British only seven.

Gen. Howe now moved on to take possession of Philadelphia, which he did without further opposition; as Washington, weakened by the absence of Wayne and Smallwood, and not yet joined by the northern regiments, deemed it hazardous to risk another battle in its defence. He however resolved to cut off the supplies of the enemy from their shipping, and to seize the earliest opportunity to strike them in detail. New obstructions were, therefore, thrown into the Delaware, to prevent the ascent of the fleet; and the garrison of Fort Mifflin strengthened by a detachment of several hundred continentals, under Lieut. Col. Samuel Smith of the Maryland line.

Battle of Germantown.

In the distribution of the enemy's forces, a strong body was cantoned at Germantown; Washington considered this a favorable occasion for a successful blow, and resolved to take them by surprise. The main body of the British was encamped in the fields west of the town and stretching towards the Schuylkill, on the banks of which was stationed a body of Hessians and chasseurs, forming their left wing. Their right, under Grant was posted on the east of the town, flanked by the Queen's rangers. On the night of the 3d of October, the American army advanced to attack them. The right wing under Sullivan, composed of his own division, consisting of the seven Maryland battalions and Hazen's regiment,

and Wayne's division, sustained by Stirling's corps, and flanked by Conway's brigade, marched down the Skippack road leading over Chesnut Hill into Germantown, to attack the main body of the enemy. Gen. Armstrong, with a thousand Pennsylvania militia, was thrown along the Schuylkill to assail the Hessians and chasseurs. The left wing of the Americans, under Green, composed of his own and Stephens' divisions, marched by the York road to attack Grant's force in front, while General Smallwood and Col. Gist—who by a singularly perverse policy were still kept from their proper commands in the line—at the head of one thousand Maryland militia, with Forman's Jersey militia, made a large circuit to the left, to strike the rear of his position. The whole army commenced its march from the camp at Matuchen hills, at nine in the evening; and the attack was to commence, at all points, at break of day.

After marching all night the right wing reached Chesnut Hill at the appointed time; and a regiment from the second Maryland brigade, with one of Conway's, was detached to drive in the pickets at Allen's house. The picket was briskly assailed, but was soon reinforced by all the enemy's light infantry. The attacking regiments, however, maintained their ground firmly until the whole Maryland division was brought to their assistance. They advanced in gallant style and with such resolution, that the light infantry were driven from the field after a close and sharp action of fifteen or twenty minutes, and their encampment fell into the hands of the victorious line, which during these movements had left the road and crossed into the field on the western side of the town. The light infantry, however, continued their resistance at every fence, wall and ditch; and the assailing troops were much retarded in their pursuit by the necessity of removing every obstruction as they passed. In the pursuit, a company of the 4th regiment, under Captain Daniel Dorsey, was thrown across the road and engaged with a

body of the enemy, who had sheltered themselves behind the houses. As the Maryland division was pressing on, being already in advance of the rest of the army, Colonel Hall attempted to disengage and bring up Dorsey's company, but was disabled by an accident, and the command of his regiment devolved upon Major John Eager Howard who hurried on his men through the encampment of the light infantry, and captured two six pounders before they reached Chew's house. Here they were fired upon by the British, who had thrown themselves into this strong building, and Col. Hazen, then in command on the left of the Maryland line, halted in the rear of that position.

In the meanwhile, the remaining regiments of the line, under Sullivan in person, pursuing the flying light infantry, came upon the main body of the enemy drawn up to receive them. A severe conflict ensued. Sullivan impatient of delay, at once ordered his Marylanders to advance upon them with shouldered arms; they obeyed without hesitation, and the enemy after a sharp resistance again retired. Wayne had moved along the east of the town, and was now ordered to assail the right of the broken troops, which he did with great spirit. Maxwell's brigade had been halted at Chew's house and was assailing it gallantly but with great loss. Greene's division, at length made its appearance on the extreme left, while Stephens' fell in with and joined Wayne's. The firing at Chew's house, which had become very heavy, now drew back Wayne's division, and distracted the several corps with the fear that the enemy was in force in that quarter. The morning was dark and hazy: and it was impossible to discover the exact position either of the British or of their own columns. The Virginia line, under Stephens, after having fought with great gallantry, was thrown into disorder, when the enemy were in full retreat, by the approach of a party demanding quarter: and it was found impossible to rally them.

The Maryland line,—assisted by a regiment of North Carolinians and part of Conway's brigade, were now left open on their flank, by the movement of Wayne; and, having continued the pursuit a mile beyond Chew's house and expended all their ammunition, found themselves unsupported by any other troops; while the enemy was again rallying on the left to oppose them. At this critical moment, when their apprehensions were excited by the heavy firing at Chew's house, a light horseman on the right gave the alarm, that the British were in their rear; and the line perceiving the troops on their right flying from the field, began to retreat in spite of the exertions of their officers. They had already been engaged for three hours in severe fighting, and this, added to the long march of the preceding night, rendered them physically unable to continue the action. They, however, brought off all their cannon and their wounded. Their loss was several hundred, principally wounded; Col. Stone of the 1st and Major Forrest of the 3d regiment, besides many other officers, were among the number. Smallwood's division of Maryland and Foreman's Jersey militia, were unable to form a junction with Greene's division, being detained by a breast work which the enemy had thrown up at Lucan's Mills.

It being impossible to restore order, the troops were withdrawn, having sustained a loss of eight hundred killed and wounded and four hundred prisoners. The enemy, according to their own accounts, did not lose more than five hundred men. The steady valor of the Maryland troops, on this occasion, won for them the highest encomiums from their commander, Gen. Sullivan. They were the first in action and most constantly engaged; and had already routed two bodies of the enemy, and pursued them for several miles, from the first point of conflict during the space of an hour and a half, before Greene's division came up, and were still actively engaged when the rest of the

army was retiring. To the want of exact co-operation, occasioned by the darkness of the morning, and the delay of some of the columns by unforeseen circumstances, must be attributed the difficulties of the day, which created a panic and snatched from their hands a victory already won.\*

**FORT MIFFLIN.** Washington again resumed his position on the Skippack: while the enemy turned their attention to opening their communications with their fleet by the Delaware. For this purpose, it was necessary to secure the reduction of fort Mifflin. In order to compel an evacuation of the work, the enemy erected a battery at the mouth of the Schuylkill. It was immediately silenced by Commodore Hazlewood with his fleet of galleys, in which lieutenant, afterwards Commodore Barney, of Maryland, served with distinction. On the following night, the enemy crossed to Province island, and erected another, which effectually commanded the block-house at fort Mifflin. The fire of the fleet soon compelled its garrison to strike their flag, but while the boats were conveying the prisoners to the ships, a heavy column of the enemy again took possession of the redoubt in spite of the fire from fort Mifflin. Col. Smith now attempted to take it by storm, but was twice repulsed: and his numbers being reduced to one hundred and fifty effective men, by the heavy fire of the redoubt and the severe duty of his post, he was compelled to ask for reinforcements. A Virginia and a Rhode Island regiment were sent to his assistance under the Baron D'Arendt, who was directed to take command of the whole force. Upon being thus superseded, Col. Smith demanded permission to rejoin his regiment, but being satisfied by the explanation of the commander in chief and his just commendations of his gallant conduct, he consented to remain. D'Arendt was soon compelled by ill health to retire from the island, and he again resumed the command. On the 22d, Count

\* Marshall; Sparks, vol. 5, pp. 80, 468.

Donop attacked Red Bank, with twelve hundred men, but was repulsed with the loss of five hundred killed and wounded. At the same time, the British fleet and batteries opened upon fort Mifflin: their fire was gallantly returned, and two of their frigates were destroyed. To reward the brave defence of the Delaware, congress voted swords to Colonels Green and Smith, and Commodore Hazlewood.

But the communication with Philadelphia was too important to the British to be abandoned, and General Howe caused floating batteries to be constructed, to attack the post from the north, while the fleet and the batteries on the shore kept up a heavy fire on the other sides. On the 10th of November, a new and heavy battery was opened from Province Island, and the fleet approached as near as the obstructions in the river would permit. The condition of the fort became critical in the extreme; the works were battered to the ground, and the men, no longer covered, were killed and wounded in great numbers. Col. Smith himself was disabled; yet for six days, this fort was maintained, with the most determined courage. On the night of the 16th, being no longer tenable, it was evacuated. The garrison of fort Mercer was soon after withdrawn, on the approach of Cornwallis; a part of the flotilla was burned, the remainder escaped above Philadelphia: and the British obtained complete command of the Delaware.

Early in December, Howe marched his forces out of the city, as if to attack the American army, and a slight skirmish ensued between his advance and the Pennsylvania militia who were soon dispersed. On the seventh, he approached near the main army; and Washington, believing a general action at hand, threw Gist, with his Maryland militia and Colonel Morgan's rifles, forward to attack their front and flank. The assault was made with great spirit, and, after a severe skirmish, the enemy's advance parties driven back; but being strongly reinforced, they in their

turn compelled Gist and Morgan to retire. Washington, unwilling to descend from his strong position and fight the battle in the plain below, withheld his reinforcements and prepared for a desperate defence of his camp. On the next day, finding it impossible to take him at disadvantage, the enemy retired to their quarters in the city. Their loss, in the action with the Maryland militia and the rifles, was upwards of one hundred killed and wounded: that of the militia sixteen or seventeen wounded, and of the rifles, twenty-seven killed and wounded.\*

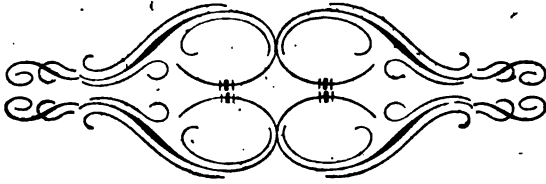
In a few days after, the main body of the American army went into winter quarters at Valley Forge. The Maryland line, however, under Smallwood, now reduced to 1400 men, was stationed at Wilmington, to protect the State of Delaware from the incursions of the enemy. Whilst on that service, a detachment succeeded in capturing a British brig, in the Delaware, laden with stores and provisions which made their winter quarters comfortable when compared to those of Valley Forge. Amongst other property on board, were several valuable medical manuscripts, belonging to Dr. Boyes, a British surgeon of the 15th regiment; these papers, Washington, with a characteristic nobleness of heart, directed to be returned to Dr. Boyes, saying that he wished to prove to the enemy, that Americans did not war against the sciences.†

Howe, having resigned, was succeeded by Gen. Clinton, who received orders in the spring to evacuate Philadelphia. France had resolved to aid the struggling Americans against the power of her ancient foe and rival, England. Some of her chivalrous sons, with the great and good Lafayette, were already battling under the folds of the stars and stripes in behalf of liberty; but now the sympathies of the nation were aroused, and all France threw herself into the conflict. An alliance offensive and defensive, was concluded with

\* Sparks, vol. 5, p. 182.

† Ibid. 196-223.

the envoys of the United States; and a powerful fleet and army were at once despatched to the American coast, Philadelphia was easily accessible to a French fleet: and the British government, therefore, directed its evacuation. This was the first fruit of the new alliance.





## CHAPTER XII.

'78 AND '79.

ON the 17th of March, 1778, the legislature again assembled at Annapolis. In compliance with the earnest request of the commander in chief, congress had called on the several states for an increase of their forces: the quota demanded from Maryland was two thousand nine hundred and two men. To insure their speedy enlistment, the legislature assigned to each county its due proportion of the whole number, deducting the two companies of artillery already furnished to the army and the recruits on hand.\* To render this arrangement effective, it was provided that if the counties could not fill their quotas by voluntary enlistments before the 20th day of May, the militia should be subdivided into classes, and, if each class did not furnish one man within five days, a draft of one of their own number should be made. The recruits as fast as raised, were ordered to be forwarded to the head quarters of the Maryland line, unless otherwise directed by the commander in chief.

While this extraordinary draft was thus being filled, Count Pulaski, a gallant Pole, was busily engaged forming his legion, under the authority of congress partly in this State, and partly in Delaware. He succeeded in raising a

\* The proportions of the several counties were as follows: St. Mary's, 140; Kent, 128; Anne Arundel, 185; Calvert, 74; Charles, 145; Somerset, 130; Dorchester, 158; Baltimore, 281; Prince George's, 168; Cecil, 145; Talbot, 106; Queen Anne, 145; Worcester, 138; Frederick, 309; Harford, 108; Caroline, 108; Washington, 120; Montgomery, 156.

corps, which afterwards did good service to the country, and led it on until he perished at its head, victoriously entering a battery which he had stormed at Savannah. It seems surprising, at this day, how the scanty population of Maryland, distracted as it was by internal divisions, could have supplied so many demands upon it; and at the same time quelled all domestic resistance. In Somerset county, a great degree of disaffection still continued, in spite of the repeated failure of every attempt at insurrection. The legislature now adopted further and more rigorous measures to suppress these outbreaks. The governor was authorized to order out the militia of any county, if the occasion required their assistance; to march a portion of the company of matrosses into the infected districts; to fit out as many of the armed boats or galleys of the State, as he should deem necessary, to guard the coast, and to raise a permanent independent company of one hundred men to be stationed on the Eastern Shore during the war.\* They also conferred upon the executive almost dictatorial authority, in case of invasion of the State or of a neighboring State by the enemy, for raising and arming men, and supplying provision, clothes, forage and means of transportation. These extensive powers were placed, without hesitation, in the hands of Thomas Johnson, who had been re-elected governor by the legislature in the preceding fall, and whose sterling patriotism and public virtue merited the confidence which was reposed in him. It was not abused. Indeed the exigences of the revolution, frequently called forth exhibitions of integrity and self devotedness worthy of the old Roman patriots and sages.

In addition to these State affairs, the governor was fully occupied in endeavoring to supply the exhausted magazines, formed for the support of the continental army. The severe winter spent by the army at Valley Forge, had

\* Hanson's Laws.

almost drained the State: for the northern and southern states had been very slow in sending in their quotas of provisions, and it was feared that its available resources were nearly exhausted. It, therefore, required the greatest energy on the part of the executive to aid the quartermaster's department. The governor and his council were also occupied in carrying into effect the measures of the legislature to supply the quota of the State to the continental army. The stringency of the act and its speedy and exact enforcement, produced the most beneficial effects. By the middle of June, before the other states had well moved in the matter, except New Jersey, the Maryland line was raised to its full complement.\*

New elections having taken place, the second General Assembly of Maryland was convened at Annapolis, by Governor Johnson, on the 19th of October, 1778. The session was important: and was rendered even more interesting by a warm controversy between the two houses, which was excited by an attempt of the house of delegates to increase the pay of its members, from twenty-five to forty shillings per day.† The house contended that the insufficiency of the per diem, as it did not cover the actual expense of a member while in Annapolis, would prevent many honorable and efficient men of small means from serving in that body, thus tending to form an aristocracy of wealth in the legislature. The senate steadily refused to accede to their proposition, alleging that as the constitution had restricted the right of membership to men of certain property it was clearly intended to place the power of legislation in the hands of persons of independent position, and

\* Washington's letter; Sparks, vol. 5, p. 399.

† 25 shillings = \$3.33½—40 shillings = \$5.33½. Seven shillings and six pence, old Maryland currency were equal to one dollar. The State adhered to this manner of reckoning—by pounds, shillings and pence—until the close of the war of 1812; when the mode of computation by dollars and cents was universally adopted.

that in the present burthened condition of the country, it was unjust to increase the expenditure of the government. At the same time, they offered to provide for the expenses of any indigent members of the lower house by special pay. The house replied with warmth and dignity: but the senate, waiving further discussion, the matter remained unadjusted. Thus recommenced the struggle between the popular tendencies of the constitution and the remnants of the old aristocratic ideas: a struggle which has worked out many important changes in that instrument, and enlarged the rights and liberties of the people. But while thus sharply contending together upon this minor point, both houses united harmoniously in all matters of public importance.

Under the constitution, the number of judges of the court of appeals was left undetermined: Court of Appeals formed. and as yet no such tribunal had been erected. As there was a pressing necessity for its establishment, the house proposed to the senate to fix the number of the court at five; and on the 12th of December, 1778, recommended to the governor and council, Benjamin Rumsey, Benjamin Mackall the 4th, Thomas Jones, Solomon Wright, and James Murray, Esqs., to be appointed judges. Both resolutions were agreed to by the senate; and carried into effect by the executive: and, by this act was completed the organization of the government under the new constitution.\* After providing for the support of the officers and soldiers, who should be maimed or wounded in the service, and securing a gratuity of one hundred and fifty pounds to the officers of the Maryland line and the artillery, to relieve them from the distresses incident upon the great depreciation of the paper currency, in which they were paid, the legislature took up a question, which had heretofore occupied the attention of the convention.†

Virginia still adhered to her claim to the west- Public lands.

\* Votes and Proceedings.

† Ibid.

ern lands, and had succeeded in securing, in the articles of confederation, a clause "that no State should be deprived of her territory, for the benefit of the United States:" and Maryland refused to give in her adherence to those articles, while that clause existed. The preceding legislature had solemnly protested against this unjust appropriation of the public lands, won by the blood and treasure of all, and directed their delegates in congress, to lay their protest before that body, and to offer an amendment authorizing congress to fix the western limits of those states claiming to the Mississippi or the South Sea. The amendment was rejected, and the protest remained unanswered. The State, however, did not submit. A declaration, was adopted by the General Assembly, setting forth their claims to a portion of the proceeds of these unsettled lands, and urging their sister states, to open their eyes to their true interests and put at rest at once this vexatious subject. Their delegates, were instructed to renew their proposition, to cause the declaration to be printed and forwarded to the different states, as well as laid before the members of congress, and to have it, together with their instructions entered at large upon the minutes of that body.\* Whilst thus protesting against any usurpation of their rights, they pledged themselves to continue the struggle against the common enemy, and to do all in their power to bring it to a successful termination. In proof of their sincerity they at once took up the consideration of the treaties of alliance, amity and commerce, made between France and the United States, and unanimously approved of them, as equal, honorable, and wise; and pledged themselves and the State of Maryland to be bound by their provisions and faithfully to fulfil them as good and true allies.

The campaign of 1778.

As the spring advanced, although preparing for a retreat, the British still continued to hold

\* Pitkin; Votes and Proceedings.

possession of Philadelphia, loath to retire from the capital of the States. The desire was entertained by many, that an effort should be made to drive them out of the city: but the weakness of the American army and the backward state of the preparations for the campaign, rendered the attempt impossible, or at least exceedingly hazardous. None of the states, except Maryland and New Jersey, had yet filled up their quotas of the new battalions, although constantly urged by the commander in chief, to comply with the requisitions of congress. At length, on the 18th of June, 1778, the British army evacuated Philadelphia, and crossed the Delaware. Washington, desirous of striking a blow upon their rear, called a council of war, which however, was opposed to his design. Being supported by Lafayette, he determined to risk an action; and, having taken up his line of march, in pursuit of the enemy, he detached four thousand men under Lafayette in advance, with orders to attack, if a favorable occasion presented itself. Major Gen. Lee, who had, in council, opposed a battle, being second in command, now claimed the right of leading this strong body, and was accordingly detached with two divisions to take charge of the whole force. The enemy, had encamped at Monmouth Court House in a strong position. Washington, determined to attack them the moment they began to retire from their posts and directed Lee to carry this design into execution.\*

Sir Henry Clinton, annoyed by the light parties which hovered about his flanks under Maxwell, Battle of Monmouth. and suspecting a design upon his baggage, sent it forward on the morning of the 28th of June, towards Gen. Knyp-hausen; whilst, with a strong body of his best troops, he descended into the plains to attack the advance of Lee's corps. The position of the American force, immediately in front of a morass, which was passable only at a few

\* Sparks and Marshall.

points, was scarcely tenable: retreat in case of defeat would be almost impossible, while the march of reinforcements to their assistance would be extremely difficult. Lee, however, kept his ground, and the enemy opened a cannonade upon Lieut. Col. Samuel Smith's battalion of the Maryland line which formed a part of Gen. Scott's detachment. Mistaking the oblique movement of one of the American columns for a retreat, and fearful of being left unsupported in this dangerous position, Gen. Scott fell back, and began to pass the ravine in his rear. Lee, doubting the propriety of engaging on the ground he occupied, did not correct his error, but ordered the remainder of the troops to retire and regain the heights behind Monmouth. Gen. Washington, at the first sound of the enemy's artillery, ordered his troops to cast aside their packs and to move on rapidly to the support of the advance. After a speedy march of five miles, he came upon the front of Lee's detachment in full retreat before the enemy, without having made an effort to maintain their position. Informed that they had fallen back by the orders of their leader, and indignant that he had not been notified of a measure taken in defiance of his orders, he rode to the rear and severely reprimanded Lee for his disobedience. The enemy were closely pressing upon the retreating troops, while the advance of the detachment was in danger of throwing the main army in confusion. The crisis required promptness of action. Lieut. Col. Ramsay's Maryland\* battalion and Col. Stewart's regiment were in the rear. Seeing Ramsay,

\* The regiments of the first brigade, which had been without a leader since the resignation of Deborre, seem to have been detailed in the several detachments on this day. The divisions engaged were so completely confused and mingled together by the carelessness of the retreat, that it is difficult to trace the several corps. The position given to the third and fourth Maryland regiments, (Lieutenant Colonel Ramsay's—and Lieut. Col. Samuel Smith's), is ventured upon the testimony given in the proceedings of Lee's court martial.

Washington called to him that he "was one of the officers he should rely upon to check the enemy that day;" and, addressing Stewart in the same manner, he ordered Wayne to form them, and directed Lee to reassemble his detachment and maintain that position against the enemy, until he should bring up the main body.

Their artillery now opened upon Ramsay and Stewart, who were soon after sharply engaged with the infantry. The action was maintained gallantly, until overpowered by numbers, they were compelled to fall back: Ramsay himself being wounded and taken prisoner. But their obstinate defence had given time to the commander in chief to draw up the left wing and second line in their rear—on the right of which was stationed Smallwood's second Maryland brigade. The right wing of the army under Greene, had, early in the day, been thrown forward by a road to the right of that pursued by the main army, and was already in advance of the scene of conflict. As soon as he was informed of the retreat of Lee and the present disposition of the forces, Greene changed his route, and coming up, took an advantageous position on the right of the main body.

Thus firmly resisted in front, the enemy endeavored to turn the left of the Americans; but they were met and repulsed by parties of its infantry detached to meet them. They then assailed the right, but without success: and Gen. Wayne, with the regiments he had formed on the centre, was ordered to charge upon them in turn. He executed the command in gallant style, and after a sharp action the enemy were driven back.

As soon as the scale of victory began to turn, Washington ordered up Paterson's division and Smallwood's brigade\*

\* Captain Jacob of the 6th regiment, and therefore in the 2d brigade, under Smallwood, in his *Life of Cressap*, speaking of the actions of the Maryland line, says, "We had the pleasure of driving the enemy off the field at Monmouth."



to secure the day. The British were driven back to a strong position, on the ground where they had received their first check from Stewart and Ramsay. Determined to follow up his advantage, Washington ordered the artillery to be brought against them, and detached several bodies of troops to attack their flanks; but, before the arrangements could be completed, night came on. The troops slept upon their arms in order to renew the action in the morning; but Sir Henry Clinton, taking advantage of the darkness, drew off his army silently, and made good his retreat, with most of his wounded, to the heights of Middletown. The loss of the British was upwards of three hundred men slain, besides many wounded and a few prisoners; that of the Americans was only sixty-nine killed. Fifty-nine British,\* and several American soldiers perished without a wound, from the extreme heat of the day.

Sir Henry Clinton's loss on the field was increased in his march through New Jersey, by upwards of a hundred taken prisoners and more than six hundred deserters. After remaining a few days on the heights of Middletown, he continued his retreat towards New York, which he reached on the 5th of July. The American army now turned its line of march once more upon the Hudson, where it remained watching the movements of Sir Henry Clinton, until the close of the campaign:

Maryland line  
in N. Jersey.

In the mean while, Baylor's and Pulaski's corps, which were partly raised in Maryland, were stationed in New Jersey to protect the country from the inroads of the enemy. Both, however, were surprised at different times by parties of the British, and slaughtered with circumstances of excessive cruelty. The remnants of Baylor's dragoons were afterwards incorporated in Lt. Col. William Washington's light horse, which did such good service in the southern campaign. It was now found ne-

\* Holmes' Annals, vol. 2, p. 284.

ecessary to post a stronger force in New Jersey, for the protection of that state during the winter, and, towards the close of November, the Maryland line, with several other divisions, was marched to Middlebrook, where Gen. Washington himself established his head-quarters. The route from the Hudson was rendered difficult and painful, by a heavy fall of snow, and the bad roads it occasioned; and the troops suffered severely, whilst preparing the huts in which they were to pass the winter as they had done at Valley Forge. Yet the privations of the army, were not equal to those of the preceding season.\*

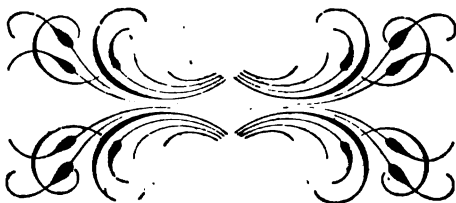
In February, 1779, the British landed a body of troops from Staten Island, with the design of taking Elizabethtown: Smallwood, with the Maryland line, and St. Clair, with the Pennsylvania division, were immediately ordered to form a junction at Scotch Plains, and reinforce General Maxwell, who lay nearest the scene of action. The British, however, faltered in their attempt; and having hurriedly retreated, the troops were recalled. The campaign of 1779, opened late, and was rather remarkable for a series of manœuvres than for any brilliant actions, with the exception of the storming of Stoney Point by Wayne—in which affair Maj. John Steward of the Maryland line was honorably distinguished:† and several surprises which the enemy suffered from the American partizan corps. The moral effect produced by the presence of a powerful French fleet, ready to aid the American army against any point on the seaboard, seemed to paralyse the energy of the British leader; and by placing him between two strong and threatening

\* Sparks.

† At the head of one hundred volunteers he fought his way into the fort with the bayonet, in front of the left column. A gold medal was presented by congress to General Wayne, and silver medals to Major Steward and Col. Fleury. The thanks of the legislature were also voted to Major Steward.—*Proc. of Con. and Md. Leg.*

opponents, compelled him to remain inactive and on the defensive. The allies then determined to assume the offensive; and, in July, the army was concentrated at West Point, the head-quarters of the commander in chief, for the purpose of co-operating with the French fleet in any design that might be attempted against the British in New York. The Maryland line formed its right wing. It was soon found impracticable, after examining the approaches to the city, to execute any combined movement against the city, and the idea was accordingly abandoned."

\* Sparks.



## CHAPTER XIII.

### INTERNAL AFFAIRS.

THE withdrawal of the British troops from Philadelphia and the consequent removal of the scene of the campaign to a greater distance from their borders, gave the people of Maryland a breathing time to recover from the constant drain of men, provisions, and military supplies, which their vicinity had rendered necessary. During the campaign of '77, besides the frequent drafts of militia, for the protection of its own coast, when the Chesapeake was filled by British cruisers, the State had furnished to the continental service two thousand and thirty regulars, and fifteen hundred and thirty-five militia. While the invasion continued most of the people upon the bay shore were under arms, and those of the interior, in readiness to march to any threatened point. In the ensuing campaign, when the British fleet had withdrawn from the Maryland waters, and their army was still lying at Philadelphia, anxious to place a sufficient force in the hands of Washington, to whom no State clung more faithfully in all his trials, and against all his opponents, it furnished a body of three thousand three hundred and seven regulars; a quota one-third larger than that of any other State, except Delaware, according to the proportions fixed by congress. Its quota to the campaign of 1779, was twenty-eight hundred and forty-nine continentals.

But it was not only for men that the State was looked to; its wheat, ripening earliest of all the wheat growing states, was always required for the first supplies to the army, and was even imported by the permission of the legislature, by the north for their State and continental use.

To protect this coasting commerce, which was extremely hazardous on account of the undisputed supremacy of the British fleet, and to guard the entrance of the bay from the smaller cruisers of the enemy, and the galleys of the lawless Tories, the State was obliged to keep up a separate marine of some force. It consisted of the ship *Defence* and several galleys, the *Chester*, *Baltimore*, *Independence*, *Conqueror*, and a number of others, of different tonnage, besides a sloop of war and four barges. The prize money arising from the captures, made by these vessels, was placed at the disposal of the governor and council, for distribution among the victorious crews—an incentive to exertion, which perceptibly increased their usefulness. In July, 1779, Commodore Grason, in the *Chester*, fell in with a hostile armed ship and schooner, which were endeavoring to make their way into the capes, and after a sharp conflict compelled them to stand out again to sea.

*Reduction of the State Marine.* The arrival of the French fleet, however, in considerable strength, at a later period rendered

it less important to maintain this force, and the immediately pressing condition of the finances of the State caused the legislature, in March, 1779, to suspend the fitting out of additional galleys:—the *Annapolis*, which was then getting ready was laid aside, the State's surplus of powder sold, the ship *Defence* and the several galleys and boats, with the exception of two of the best galleys and one boat, were disposed of and the money paid into the treasury. At the same time, the companies of *Matrosses*, heretofore stationed at *Baltimore* and *Annapolis*, were ordered to proceed at once to the head-quarters of Gen. Washington, and report as portion of the State's quota for the campaign.

*The currency.* But whilst engaged in carrying out these measures of economy, the house of delegates re-opened the controversy of the last session, by a resolution increasing the pay of the members. They were sustained by strong

grounds in their position. The principal medium of currency had, long since, become a depreciated paper, issued by the State and by congress. The exigencies of the moment could not be met by the proceeds of taxation, and bills of credit were constantly issued, with the delusive hope that a favorable turn of affairs would bring about their speedy redemption. As these issues were enlarged, their value fell far below that which they bore upon their face, and, of course, continued to sink lower and lower at each new increase, which was rendered nominally larger by its depreciation in current value. Every effort was made to support their credit, but in vain. Many of the States made them, by law, a legal tender in payment of debts. The legislature of Maryland; at the session of 1777, declared that the convention and State issues, as well as continental paper, should be received as legal tenders in payment of debts, at nominal value—a robbery of the creditor for the benefit of the debtor—but the courts decided that this only applied to the bills issued before the passage of the act. The continental emissions had already increased to the enormous sum of two hundred millions of dollars, and had sunk so low in public confidence that they were rated at forty dollars in paper for one in silver.

The nominal pay, therefore, of a delegate or senator, at twenty-five shillings a day, when reduced to specie value, was utterly insufficient to meet his expenses; and the action of the house bore, on its very face, an argument which seemed irresistible. For a time, the senate continued its opposition, but at length yielded; and the amount of the pay was increased to three pounds current money (eight dollars) per day, for the session, and a like sum per day for itinerant charges. Charles Carroll of Carrollton, was the only man, who had the courage and the moral honesty to persevere in his opposition; and the strong and pointed protest which he entered upon the journals of the senate,

furnishes a complete and able vindication of his course. He considered the resolve a dangerous precedent, for future legislators, to vote the people's money into their pockets; for its existence would take away from men, in whom the desire of gain might overcome the dictates of duty and honesty, that dread of the people which alone could prevent them from enriching themselves with the spoils of their constituents. It was, besides, a measure calculated to exempt the lawgivers themselves, from those very inconveniences, which the people at large were enduring; which were reducing to destitution the gallant soldiers who were shedding their blood in the field, and rendering penniless the brave officers who sustained the honor of the State and defended its liberties, spending in the meanwhile their own fortunes to make up the deficiency of their pay caused by the depreciation.\* It was a continuance, too, of that "private and selfish spirit which induced the passage of the law making bills of credit legal tender in payment of debts, unnecessary and impolitic at its commencement, injurious and oppressive in its continuance, and alike destructive of public and private faith." This spirited protest produced its effect upon the members of the senate; and when a few days after, a second tender law, to remedy the decisions of the courts by including in its provisions the issues made subsequent to the passage of the former law, was sent up from the lower house, it was rejected by a vote of five to three.

The discussion of these questions led both houses to the consideration of a subject, which had already occupied the attention of congress and the nation—the proper recompense and just provision for the officers of the army, who,

\* Capt. Jacob, in *Cresap's Life*, p. 18, says he was despatched by a party of officers of the Maryland line to Baltimore, to purchase cloth for coats; after great difficulty he bought fifteen yards, for fifteen hundred pounds, which were made into ten regimental coats!!!

it was every where admitted, were bearing the heaviest burdens of the war, with a pay, which scarcely supplied them with the necessaries of life, and were, most of them, now so reduced in estate, as to be frequently dependent upon the gratuity of the States for the clothing they wore. Their condition at the close of the war, began already to be looked to. When that happy event should arrive, it would be to them the forerunner of utter destitution. The army would, of course be disbanded or much reduced, and these men, broken down by the hard service of the war, wasted in estate and no longer fitted for a business life, would be thrown on the world without support, unless provision were made for them by the country, in whose cause they had spent their best days. The matter was agitated in congress, and several of the States desired that a half pay for life should be granted to these gallant men: but at length the economists prevailed, and, after a sharp struggle, it was determined to bestow upon them at the close of the war, a gratuity equal to seven years full pay. It was afterwards reduced to five years pay. With this they were compelled to be content, and it at least afforded to the younger and more vigorous, the means of starting out afresh in life, to toil for a sustenance among their countrymen, in peace, with the same fortitude that had marked their struggle for liberty against the common enemy, in war. But the legislature of Maryland was actuated by a nobler sentiment: and those, who had hitherto enjoyed the security won by the sufferings of the army, did not permit any feelings of parsimony to interfere with its appropriate reward.

The legislature, therefore, upon the determination of the question in congress, immediately resolved, that the officers of the Maryland line, who should serve to the close of the war, should be entitled to half pay during life, to commence after the expiration of the seven years pay voted by congress. They further extended this provision to the widows



of such officers as would have been entitled to half pay, during their widowhood—a delicate restriction justly due to the sacred memory of the dead.

To remedy, for the present, the wants of the officers and soldiers, the legislature ordered that each commissioned officer should be furnished annually, during the war, with a good uniform and four shirts, besides a daily allowance of a variety of necessaries, enumerated in the act, and the privates, rations of rum and tobacco equivalent to twenty pounds per year. In the several reorganizations of the line, disputes had arisen as to precedence: the Assembly now referred the whole matter to Gen. Washington, requesting him to settle the rank of all officers in the Maryland line and separate corps, as he should deem most consistent with justice. He was also requested to incorporate the Maryland portion of the German battalion and the rifle regiment, into one battalion, to appoint proper officers and enrol it in the line of the State. For the purpose of hastening the recruiting service, the commander in chief, was desired to detach suitable officers with active sergeants to enlist men in the State to fill its quota; and the sum of two thousand dollars was immediately appropriated to meet the necessary expense; while to each recruit in addition to the bounty allowed by congress and the State, were presented a hat, shoes, stockings and overall—homely provisions which denote the pressure of the times.

The divisions of party already began to make their appearance in the two houses. The legislature, in imposing taxes, had directed a treble tax to be levied upon non-jurors, persons who had refused or neglected to take the oath of allegiance to the State. The ultra patriots, who were resolved to spare no means to crush the tories and support the army, insisted upon this measure, whilst the more moderate desired to release the non-jurors from the heavy burdens thus imposed upon them in addition to that of dis-

franchisement. Some of these non-jurors, were clergymen of the church of England, who besides, other disabilities, had been prohibited from teaching or preaching the Gospel;—several acts had been introduced for their relief upon taking the oath,\* but always rejected. A resolution for the general relief of non-jurors upon their taking the oaths, was now proposed. It awakened the most violent opposition, and Samuel Chase, a distinguished member of the house of delegates, openly charged that there were tories, or persons unfriendly to the cause, in the two houses. He was summoned before the senate<sup>1</sup> to make good his assertion, as far as it related to the members of that body. He accordingly appeared, and having objected to their authority to require his presence, proceeded, at the request of the senate, to make specific charges against several members of that body, of disaffection and lukewarmness to the cause of liberty.<sup>†</sup> As two of the members implicated were absent, the affair was referred to the next session of the senate in July; when, being thoroughly investigated, the allegations were unanimously declared unfounded. But the resolution in favor of non-jurors although it passed the house was rejected by the senate. Subsequently, however, a temporary relief was granted to them.

During the preceding campaign; a large number of the German troops in the service of the British, had deserted, and some had found their way into Maryland; many foreigners, attracted by a desire to serve under the American flag, or to partake of the new liberty which seemed to be already established, had arrived in the country; and more, it was believed, were desirous of immigrating, if proper inducements were offered to them. The legislature, conscious that a great accession of strength would be made to the State by incorporating these persons with the inhabitants, and

\* Votes and Proceedings, Senate, July, 1779, p. 69.

† Votes and Proceedings, March, 1779.

inducing them to enter heartily into the common cause, by generously sharing with them their rights and privileges, passed a naturalization law, by which all foreigners, upon taking the oath of allegiance to the State, were at once admitted to the rights of natural born citizens, save and except the privilege of holding any civil office, until after a residence of seven years. In order that these liberal inducements might be made known abroad, the governor of the State was directed to cause the act to be printed and circulated in Great Britain and Ireland, and to be translated into German and distributed throughout the cities and towns of Holland, Germany, and Switzerland.

Thomas Johnson had now served three years in the responsible and arduous office of governor, having been twice re-elected without opposition;

and the constitutional restriction rendered him no longer eligible. When the time arrived for a new election, two candidates were proposed, Col. Edward Lloyd, and Thomas Sim Lee, Esq. On the 8th of November, 1779, the election took place, and a majority of votes of both houses being cast in favor of the latter gentleman, he was duly proclaimed governor of the State. Desirous of testifying their high estimate of the public conduct and administration of the late governor, the two houses transmitted to him an address, which forms the best eulogy upon his character and services during the critical period, at which he presided over the destinies of the new State, and upon his "prudence, assiduity, firmness and integrity," conspicuous even in the galaxy of distinguished men, who then adorned the annals of Maryland.\*

The effect of the depreciation of currency, in raising to an enormous height the prices of labor, produce, and all commodities, called for some measures of relief; and a joint committee of both houses was appointed to consider the

\* Votes and Proceedings.

matter. They proposed that a convention of commissioners, from the several States, should be assembled at Philadelphia, in January ensuing, to take measures for limiting prices to a certain standard throughout the country. They also advised that the governor should be empowered to seize provisions, wherever a surplus should be found, and suggested sharp measures against forestallers and engrossers, who bought up grain and produce for the purpose of speculating upon the distresses of the army. Three commissioners were, accordingly, appointed on the part of Maryland, with full powers, to agree upon any united action in reference to this important subject, and to report the result of the conference to the next General Assembly, should they deem it proper.

Another question of great importance grew out of the deranged condition of the currency. The weight of the taxes already imposed, and the overwhelming debt which had been contracted, filled the minds of the most ardent patriots with apprehensions. Congress, at length awakened to the ruinous tendency of inordinate issues of paper without credit and having only a compulsory circulation, limited their amount to two hundred millions of dollars; and, determining to cancel as much as possible of this sum, called on the States for their respective shares of one hundred and thirty-five millions, to be paid in nine monthly instalments.\* The quota of Maryland amounted to fourteen millions two hundred and twenty thousand dollars, making the monthly instalments, to be paid by the people, reach the sum of one million five hundred thousand dollars. The rate of taxation upon the assessment of property to raise this amount, exclusive of the tax of thirty shillings for the State, was twenty-seven pounds on every hundred pounds. But the frightful proportion diminishes, when it is remembered, that the valuation was made at the

Confiscation  
of the estates  
of the disaffected.

\* Pitkin

old specie or currency rate, and the taxes were paid in the depreciated paper, then nearly forty to one.

The leaders in the house of delegates, in casting about for some means to meet this heavy draught, resolved in imitation of the example of other States, to confiscate the property of those who had adhered to the royal cause, and bring it to the hammer. Many men of large fortunes had thus deserted the cause of their country; and it was deemed but justice to seize their estates, either as the property of open and notorious traitors, or of British subjects, found within the State and fair spoil of war. A bill for that purpose, was accordingly framed and passed by the house and sent to the senate. The November session was now drawing to a close; several of the members were absent, and the senate, considering the question one of too great importance to be hastily disposed of and doubting the justice and expediency of the matter, returned the bill to the house desiring it might lie over to March session of 1780, as they were not prepared to act finally upon it. But the house would admit of no delay, and despatched, by a delegation of sixteen members, a strong remonstrance to the senate. They contended that the people were unable to raise more than nine millions, by taxation, at the rate of one million per month; and that some extraordinary measure must at once be resorted to. The property of the refugees would sell for at least the balance of five millions; and this would give time for the taxes to be collected and paid in. Besides, delay was dangerous; unless congress received the expected aid, a further emission would be necessary, and the condition of things rendered still worse. A warm and ably conducted controversy ensued; and the senate, forced to act, rejected the bill for the present, suggesting, as a more appropriate source of revenue, that congress should make foreign loans and pledge for their payment the western lands which were improperly claimed by certain States.

Unable to agree, both houses adjourned over to the twenty-eighth of March, 1780.

In the meanwhile, the people heartily took up the subject of the confiscation of British property, and, when the Assembly re-opened its sessions at the appointed time, numerous petitions were presented from all parts of the State, urging the adoption of the measure. The amount required to be paid, had now increased to twenty-three millions, seven hundred thousand dollars, rendering the difficulty of raising it, by taxation more evident. The States had failed to pay in their proportions, and congress, as the house had predicted, was compelled largely to exceed the limit of two hundred millions, which it had assigned for the issue of paper money. To meet their quota, the people of Maryland, would have been obliged to pay in a tax of one hundred pounds of paper for every hundred pounds worth of property. The house immediately passed another bill for the confiscation of British property, which the senate, after a renewed contest, again rejected.

A scheme was then devised for calling in the old issues of continental paper, by an issue of State paper, at the rate of one dollar of the new for thirty-three and a third of the old, and pledging the faith of the State for its redemption: this measure met with the same fate, and, after a long session spent in fruitless attempts to effect a compromise, both houses adjourned to the seventh of June, having ordered the disputed bills, and, the messages concerning them, to be printed and circulated throughout the State for the information of the people.

The bill for recalling the continental issues was at length agreed to, in March, and the old issues called in. The old issues were redeemed, at the rate of forty to one of the new. Few, however, were brought in; and the laws making them currency being repealed, they soon, altogether ceased to pass, and quietly died in the hands of their holders. In

this state of affairs, it was impossible to place any value upon currency, and, in fixing the governor's salary, the legislature was compelled to assign it to him, in wheat, at the rate of forty-five hundred bushels per year.\*

**Confiscation bill passed.** The March session passed without an effort to bring up the confiscation bill, and it laid dormant until October, when, after material modification, it was at length agreed to by both houses. That injustice might not be done, an opportunity was allowed, to the owners to come in and take the oath of allegiance to the State, prior to the first of March, 1782. This provision was extended, in an especial manner to ex-governor Sharpe, whose deportment as Proprietary governor of Maryland, had won the respect of the people. By another act, the quit rents of the Proprietary were forever abolished.†

**The Confederation.** Early in the revolutionary struggle, Benjamin Franklin introduced, into congress, a plan for the confederation of the colonies, which was occasionally discussed from time to time, until the Declaration of Independence. Then a more enlarged scheme of union became necessary; and a committee of one member from each State was appointed to draft articles of confederation. The dark and trying struggles which ensued, compelled the postponement of the subject, to April, 1777, when congress resolved to devote two days, in each week, to its examination, until a definite conclusion should be reached. On the 15th of November, they were finally adopted, and printed copies were sent to the legislature of each State, for their consideration, accompanied by an address requesting them, to authorize their delegates, in congress, on or before the 10th of March, 1778, to subscribe the articles of confederation. In June, 1778, the delegates were called on for their instructions, upon this subject, from their States. New York, New Hampshire, Virginia

\* Votes and Proceedings.

† Hanson's Laws.

and North Carolina, unconditionally adopted the plan. Amendments were proposed by the others, but all the States except Maryland, Delaware and New Jersey, had instructed their delegates to agree, even if they should fail to obtain the adoption of their propositions.

Maryland was determined not to relinquish <sup>The Public Lands.</sup> its claim to a portion of the public lands, and its delegates, in pursuance of their instructions, proposed an amendment, authorizing congress to fix the boundaries of States claiming westward to the Mississippi or the South Sea. Upon this question the States were nearly equally divided; Maryland, Delaware, New Jersey, Pennsylvania and Rhode Island were in its favor—Massachusetts, Connecticut, Virginia, South Carolina and Georgia, against—and New York undecided. The amendment was therefore rejected. In July, the articles were formally signed by the delegates of all the States, except, Maryland, Delaware and New Jersey; who were urged by congress to give their immediate attention to it, as a subject of vital importance. New Jersey, in November, directed her representatives to accede to the confederation; and Delaware followed her example in February, 1779. Maryland alone held out; and the legislature resolutely asserted their determination not to accede until their rights in the western lands should be secured. As these claims affected Virginia, and their instructions to their delegates particularly pointed to that State, it called forth, a strong remonstrance on her part, and the legislature of that commonwealth instructed their delegates in congress, to ratify the union with such other States as would join with them, declaring that it should be binding without the assent of Maryland, allowing the State however a certain time to unite with the confederacy. Connecticut adopted a similar course. But Maryland was no more moved by threats, than it had been by remonstrance. As many of the States felt a strong interest in the success



of its demands, they refused to accede to the proposition of Virginia; and the confederacy remained unratified. At length, New York led the way to a settlement of the difficulty, and instructed its delegates in February, 1780, to limit the western boundary of the State, and cede to congress their claims to lands beyond it, "to enure for the use and benefit of such of the United States, as should become members of the Federal alliance of the said States and for no other use or purpose whatever."\* This act, the instructions of Maryland, and the remonstrance of Virginia, were referred to a committee of congress, who reported a resolution, calling on the several States to follow the generous example of New York, and thus effectually remove every obstacle in the way of a perfect union, and requesting Maryland to accede to the confederacy. In order to give effect to its recommendation, congress, afterwards, pledged itself that the public lands should be held for the common benefit of the whole—and as they became populated, should be parcelled out into free and independent States. In compliance with this request Virginia, on the second of January, 1781, by a resolution of the legislature, determined to cede to the United States all her claims to lands north-west of the Ohio.†

But, whilst Maryland had thus for two years persevered in holding aloof from the confederation, it had not for one moment relaxed its efforts in the common cause. At the very time when it was thus contesting with Virginia, its sons were fighting on the soil of that State for its defence, and traversing the whole south, shedding their blood, without stint upon every battle field—the Maryland line and the Virginia regiments, side by side, bearing the brunt of the hard fought southern campaigns. But now the State stood triumphant; every difficulty had sunk down before its firm-

\* Pitkin, vol. 2, p. 83. † Ibid. p. 85, and also Burke, Hist. Virginia, vol. 4, p. 471. The final deed of cession was not made until 1784.

ness and perseverance; and on the second of February, 1781,\* the legislature authorized their delegates in congress to sign the articles in their behalf. It was solemnly done on the first day of March, and the union thereby completed. "This important event was on the same day publicly announced, at Philadelphia, the seat of government, and immediately communicated to the executives of the several States, to the American ministers in Europe, to the minister plenipotentiary of France, and to the commander in chief to be announced to the army under his command."†

By the articles of confederation, each State preserved its separate and distinct sovereignty, while the United States only possessed such authority as was specifically delegated to them. No State was to have less than three or more than seven delegates in congress, who were to be chosen annually and were only eligible three years out of six. The votes in congress were to be taken by States; and it required a majority of States to carry a question, unless it related to peace or war, the army, navy or the coinage of money, when it could only be passed by a vote of nine States. The articles could not be changed, altered or amended, except by the consent of all. The States were prohibited from making peace or war, laying imposts, which should interfere with those of the United States, and maintaining an army or navy in peace, without the consent of congress. Congress was authorized to make peace or war, raise fleets and armies, coin money, contract loans, and issue bills of credit: and to appoint a committee of one from each State, called a committee of States, to sit as an executive committee during its own recess. The great error in the system, as was afterwards abundantly proved, was the want of a sufficient federal power in the union, a defect which was at length remedied by the adoption of the present constitution ten years later.

\* Votes and Proc. October session, 1780, p. 49. † Pitkin, v. 2, p. 26.

## CHAPTER XIV.

### THE SOUTHERN CAMPAIGNS.

**DURING** the year 1779, the southern army had been particularly unfortunate; Georgia and South Carolina were reconquered by the enemy; and North Carolina invaded. In this critical state of affairs, it was resolved by congress that the Maryland and Delaware lines should be despatched to reinforce that department. In April, 1780, they were accordingly detached, under the command of Major Gen. De Kalb, and, after marching through New Jersey and Pennsylvania, embarked at the head of Elk river. The first brigade passed through the State on the 5th, the second on the 11th of May. They numbered, then, about two thousand strong: and most, of that gallant and veteran array, looked for the last time upon their native State. Yet proudly conscious of their noble bearing, and the honor they had won it, they cheerfully marched on to new fields of glory, without pausing to receive the gratulations of friends, or to revisit those homes, to which they might never more return. The south was calling for their aid; and these relics of many fights, some of them sharers with Gist of the bloody day upon Long Island, some, who fought at Harlaem Heights, White Plains, Fort Washington, and through five severe campaigns, were hastening thither to cross their bayonets with British steel again. The legislature to expedite their march, directed a sum of three thousand dollars to be paid to each officer, and, to welcome their passage through the State—a gratuity of rum to be distributed among the non-commissioned officers and privates.

To strengthen the southern force as much as possible, they further ordered that the three Maryland companies of artillery, in the continental service, should be formed into four with proper officers, and attached to Col. Harrison's Virginia regiment. They, also, passed stringent measures to increase the number of the line, by the enlistment or draught of fourteen hundred men, to which a thousand more were added in June. However, the actual number of recruits did not reach the amount called for. An additional regiment was raised, and placed under the command of Colonel Alexander L. Smith, but after it had marched to the south, its officers were recalled and the men drafted into the old regiments. The legislature then published an able and stirring address, to the people of Maryland, calling on them to come forward, at this trying time, reminding them of the outrages, perpetrated by the British soldiery on their brethren in New Jersey,—recounting the reverses which had befallen the American arms, the reduced condition of their forces in the south, the fall of Charlestown and the conquest of South Carolina; and urging them, like the "Romans of old, to draw new resources and an increase of courage, even from defeats, and manifest to the world that they were then most to be dreaded when most depressed."

The progress of the line was somewhat delayed by the difficulty of obtaining provisions; but the news of their approach preceded them, and served at once to raise the spirits of the southern people. At Hillsborough, in North Carolina, they encamped, until further preparations were made to facilitate their march to the south, and to give time to the militia of Virginia and North Carolina, under Caswell and Stevens, to join them. On resuming their march, they were overtaken at Deep river by Gen. Gates, whom congress had desired to be appointed to the southern department. The conqueror of Saratoga was received with the greatest

enthusiasm, by the army of the south; and the eclat of his name, and the gallant force he accompanied, aided materially in bringing out the militia of the invaded States. The broken remains of the cavalry, which had served through the preceding campaign, had withdrawn to North Carolina to recruit, and their officers requested Gates to use his influence to fill their corps; but he refused to do so, thinking Armand's horse, which he had with him, sufficient for his purpose. He learned to regret his neglect. De Kalb had already selected a route for the army, somewhat circuitous, but through a fertile country, where provisions and supplies could be readily obtained; but Gates, eager to reach the scene of action, fixed upon a more direct course, through a barren and exhausted district. The consequences to the troops were serious in the extreme. The men were reduced to live upon green corn and unripe fruit—a diet which soon produced disease—and suffering and deaths diminished his effective force. The horses, destitute of forage, were unable to support the forced marches, and the whole army when it approached the enemy was broken down and scarcely fit for immediate service.

As Gates advanced towards Camden, Sumpter, Marion, and Pickens, three distinguished southern partizan leaders, rallying their scattered troops, made their appearance in the field. Lord Rawdon, who commanded at Camden, desirous of striking a blow before the Americans should concentrate their forces, advanced to a strong post fifteen miles in front of that place, on Lynch's creek. But the American general, inclining to the right, and endangering his position, he fell back to Logtown, nearer Camden. Desirous of opening his communication with Sumpter, Gates at once advanced to Rugely's Mills, and, having learned from that leader, that a British convoy of stores and provisions, were on their way from Ninety-Six to Camden, immediately detached Lieut. Colonel Woolford, with four hundred men of the Maryland

line, and two light pieces of artillery, to form a junction with Sumpter and attack the enemy's train.\*

Lord Cornwallis, informed of the movements of the American general, immediately hastened to Camden, and determined to seek a battle, before his enemy could increase his strength. He, accordingly, marched from that place by night, intending to surprise the Americans. By a singular coincidence, Gates had set forward upon a similar design; and the advance parties of the opposing armies met at half past two o'clock in the morning, a few miles from Saunder's creek. Armand's cavalry, the van of the American force, was soon driven in by the British guards, under Lieut. Col. Webster; and the flight of the fugitives threw the leading Maryland regiment into some disorder: but the heavy fire of Porterfield's and Armstrong's infantry upon the flanks gave it time to rally, and the guards were driven back.

As if by common consent, both armies ceased their fire and, drawing back awaited the dawning of day. Immediately, the two hostile leaders began to form their lines of battle; and the nature of the ground and the arrangement of the troops materially effected the result. The British troops, numbering about two thousand men, were posted between two swamps, which protected their flanks and rendered the superior numbers of the Americans of little avail. The American left, resting on the morass, was composed entirely of Virginia militia under Stevens, whose flight would leave the centre and right wing unprotected, and expose them to be taken in flank and rear. The North Carolina militia, under Caswell, formed the centre, and three regiments of the first Maryland brigade, under Gen. Gist, with the Delaware regiment, formed the right, while the second Maryland brigade, under Smallwood, was stationed as a reserve three hundred yards in the rear of the

\* Lee's Memoirs.

line. Baron De Kalb commanded on the right and along the line of battle, while Gates retained the general superintendence of the whole to himself, and took post between the main body and the reserve.

As the first streak of day broke in the east, the artillery opened on both sides, and the left under Stevens, was ordered to advance. To teach the Virginia militia to stand the fire of the enemy, Col. Otho H. Williams, of Maryland, with a party of volunteers, moved in their front against the British artillery to draw and sustain their fire; and General Stevens, after exhorting his men to use the bayonet freely, led them into action. Cornwallis, immediately, threw forward his right under Webster with his veteran corps. The Virginia militia, scarcely waiting to deliver one fire, broke, and, throwing away their arms, fled in the utmost disorder. The North Carolina militia, followed their shameful example; and Gates, Stevens and Caswell, in vain attempting to rally them, were borne from the field by the flying mass of frightened men. One regiment of North Carolinians, under Dixon, an old continental officer, cheered by the firm bearing of the Marylanders, on whom they flanked, alone maintained their ground.

At the same moment that the left wing broke, Cornwallis, elated with success, ordered Rawdon to charge upon the right. But Gist's brigade stood immovable. For a while, the terrific struggle seemed of doubtful issue—"bold was the pressure of the foe," exclaims an eye-witness, "firm as a rock the resistance of Gist—Now the Marylanders were gaining ground." The gallant Howard, at the head of Williams' regiment, impetuously broke upon the enemy and severing his front, drove the opposing corps before him; and it seemed as if the lost battle was about to be retrieved even whilst the commander in chief was flying far from the scene of action. But the eagle-eyed Webster, the best and bravest officer after Cornwallis in the British army,

upon the flight of the centre and left brought his veteran guards upon their flank. In a moment they were met by the second Maryland brigade, which Smallwood rapidly brought up to replace the fugitives, and the battle was again renewed with undiminished spirit upon the left.

Finding his flank once more protected and his Marylanders bearing up with unflinching valor, the brave De Kalb—although out numbered two to one, resolved to make one great and final effort with the bayonet. Dreadful was the charge. For a time the two lines seemed mingled with each other, clinging together and slaying with that terrible weapon—the weaker going down before the stronger. But at length the veteran troops, of Cornwallis began to recede; at one point they were broken, thrown into disorder, and many prisoners were taken. A single corps of cavalry would have retrieved the day: but Gates' folly had rendered victory impossible. The forward movement had again uncovered the left of Smallwood's brigade, and Webster immediately turned the light infantry and the twenty-third regiment upon his open flank. Smallwood, however, sustained himself with undiminished vigor: but, borne down at last by superiority of force, began to recede. Soon, however, his brigade forced back its assailants and regained the line of battle; again it gave ground and again it rallied. The right under Gist and De Kalb continued to maintain its superiority.

Cornwallis, alarmed at the unexpected resistance of the Maryland line, and having before experienced its desperate valor with the bayonet, now concentrated his whole force, and brought it upon them. The inequality was too great to be resisted. The whole British army was poured upon these two devoted brigades, who still maintained their ground, although only numbering eight hundred men,\*

\* It had been reduced by detachments made before the battle.—Burke's *Hist. of Va.*, 4th vol. p. 400.



opposed to more than two thousand British regulars, and surrounded and unsupported, yet still fighting on with unflinching hearts. The cavalry were suddenly thrown in upon them, in front and rear, while they were still entangled with the infantry. The moment was critical; De Kalb, at the head of one regiment, attempted to restore the line—but overpowered, he fell covered with wounds, and was made prisoner:—his life being saved by the generous De Buysson, his heroic aide-de-camp, who threw himself upon his fallen leader, and received in his own body the bayonets aimed at his friend. Intermingled with the infantry, and trampled under foot and sabred by the dragoons, without space to rally—the brave troops were broken, and driven from the field by successive charges. “To the woods and swamps, after performing their duty valiantly, these gallant soldiers were compelled to fly. The pursuit was continued with keenness and none were saved, but those who penetrated swamps which had been deemed impassable. The road was heaped with the dead and dying. Arms, artillery, horses and baggage, were strewed in every direction.” Brigadier Gen. Gist moved off with a body of one hundred men, still maintaining their ranks unbroken, through the swamp, where the cavalry could not pursue them, while Col. Howard effected his escape with a still smaller party.\*

The loss was severe. Four hundred North Carolina militia were taken prisoners, and sixty killed and wounded—for a portion of them—the regiment under Dixon—had gallantly continued to maintain its ground, on the left of the Maryland line. The Virginia militia, to the regret of all, escaped with only the loss of three men, wounded in the flight, and a few taken prisoners. The loss of the Maryland line and Delaware regiment was exceedingly severe.—Three or four hundred killed and wounded, and one hundred and seventy prisoners, mostly of the wounded

\* Marshall; Lee's Memoirs; Tarleton's Campaigns, &c.

The regiment of Delaware was reduced to less than two companies; and, having lost its field officers, Col. Vaughn and Major Patton, was afterwards formed into one company under Captain Kirkwood.

The brave De Kalb, though treated with every attention, survived but a few days. He spent his last moments, in dictating a letter to Gen. Smallwood, who now succeeded him in the command of the Maryland line, "full of sincere and ardent affection, for the officers and soldiers of his division, expressing his admiration of their late noble but unsuccessful stand; reciting the eulogies which their bravery had extorted from the enemy, together with the lively delight such testimony of their valor had excited in his own mind, then hovering on the shadowy confines of death.—In this endearing adieu, he comprehended Lieut. Colonel Vaughn and the Delaware regiment, and the artillery belonging to his division, both of which corps had shared in the glory of that disastrous day. Feeling the pressure of death, he stretched out his quivering hand to his friend De Buysson, proud of his generous wounds, and breathed his last in benedictions on his faithful, brave division."\* His death was lamented in Maryland and his memory honored. The legislature, in testimony of their respect and gratitude, passed an act-granting the rights of citizenship to his descendants, a copy of which they directed the governor to transmit to the Baroness De Kalb, his wife;† and congress ordered a monument to be erected at Annapolis, with an inscription commemorative of his actions and glorious death. To the disgrace of the nation the resolution has not yet been carried into effect.

Gates, in the midst of his defeat, was, for a moment, cheered by the intelligence, that Sumpter and Woolford had succeeded in capturing the convoy of the enemy; but the gratifying news was speedily followed, by the an-

\* Lee's Memoirs, p. 96.

† Votes and Proceedings Assembly.

nouncement that Tarleton had, in turn, surprised and defeated them, killing or taking prisoners the larger portion of the infantry, and dispersing the cavalry. In these two actions, the Maryland line suffered greatly, in officers. Besides its distinguished leader, De Kalb—it had to regret the loss of Capt. Williams, 6th regiment, Capt. Duval, 2d regiment, Lieut. and Adjutant Coleman, artillery—killed. Capts. Sommerwell, 6th, and Gibson 5th, Lieuts. Duvall and Sears, 3d, and Ensign Fickle, 7th—wounded; Lieut. Col. Woolford, 5th regiment, Major Winder, 1st, Captains Brice, 3d, Hoops, Lynch and Hamilton, 5th, and Hardman, 2d, (also wounded), Smith, 3d, (wounded), Dorset, artillery, wounded, Lieut. Waters, artillery, Lieuts. Shoemaker and Hanson, 4th, (also wounded), Norris, 6th, (wounded), Wallace and Mosely, artillery, Ensign Burgis, 4th, and volunteers, Lieuts. Nelson, 6th, (wounded), and Rutledge, 4th, taken prisoners: and Capts. Morris, 7th, (wounded), and Gassay, 2d, Lieut. Gassaway, 2d, Capts. Meredith and Blair of the artillery, missing.\*

Throughout this hard fought but disastrous day, Gens. Smallwood and Gist conducted themselves with exemplary skill and bravery, and the thanks of congress were voted to them in a special manner.† Lieutenant Col. Williams, the adjutant general, was every where in the heat of action, volunteering to face every danger, although out of the line of his duty; and Lieut. Col. Howard gave proofs of that, "solidity of character,"‡ that cool and daring courage, which afterwards distinguished him as one of the first and bravest of Maryland's sons. Gates, in vain endeavored to rally the flying militia; could he have succeeded, and brought them back to the aid of the line, the victory would have been

\* Tarleton's Campaigns.

† Gen. Gist was promoted on the 19th of January, 1779, to a brigadiership, and Smallwood, after the death of De Kalb, was made major general on the 15th September, 1780.

‡ Lee's M.

retrieved. He halted, for a time, at Charlotte, to gather a portion of the remnants of that gallant army, he had so lately led into the south; and then removed to Hillsborough, one hundred and eighty miles from Camden.

Smallwood and Gist remained at Charlotte, with about one hundred and fifty officers and men, to rally their scattered soldiers. Col. Williams, with a brigade major, was detached towards the scene of the battle, to bring up all the stragglers he could find, and to obtain information of the enemy. Major Anderson, of the 3d Maryland-regiment, had succeeded in rallying a portion of his corps, not far from the field, and now, learning the point of rendezvous, proceeded to Salisbury by slow marches, to give time to the dispersed soldiers to join their colors. By these cool and skilful measures, Smallwood succeeded, in ten days, in collecting upwards of seven hundred non-commissioned officers and privates, besides the larger portion of his commissioned officers, which number was fortunately increased by the recapture of one hundred and fifty continental prisoners taken at Camden, made by the indefatigable Marion, on their way under escort to Charleston.

Cornwallis, crippled by the desperate resistance of the Maryland line, the Delaware regiment, and Dixon's North Carolina militia, on the fatal 16th of August, was unable to follow up his advantages, without further reinforcements. His strength was subsequently weakened by the capture of Colonel Ferguson, at King's mountain, and an advantage, which Sumpter obtained over Tarleton. The army, therefore, remained undisturbed at Hillsborough, and the commander employed the time in re-organizing the several corps.

In compliance with General Washington's directions, the seven Maryland regiments of the old line, were reduced into one, to be called the first Maryland, and placed under Col. Otho H. Williams.\* The supernumerary officers, under

\* Appendix D

Gen. Gist, for whom there was now no longer any command in the broken condition of the army, were ordered back to Maryland to take charge of the recruiting stations, and to form two new regiments, as rapidly as possible.\* The numbers of the new battalions were fixed by the commander in chief at five hundred and four men, and the legislature of the State at once set about raising recruits to fill them up.† The militia of the State were again divided into classes, and each class was compelled to furnish, within five days, a soldier, either free or a slave,‡ and it is said not a few negroes served throughout the war, not only in the Maryland, but in the lines of other States, with faithfulness and courage.

Gen. Smallwood was retained in the army, as second in command: and was detached to the Yadkin, to take charge of the militia, gathering in that quarter. The Virginia levies soon after joined Gates, increasing his force to about fourteen hundred continentals; which was further strengthened by a corps of volunteer cavalry and two divisions of North Carolina militia. He now moved to Charlotte; and Smallwood was advanced from the Yadkin to the Catawba, while Morgan was thrown forward with a light corps. In the mean while, congress dissatisfied with the conduct of Gates, requested Gen. Washington to supercede him; and Gen. Greene was at once despatched to the south, to take the command. The only reinforcement, which could be spared him from the northern army, was Lee's legion composed of three companies of infantry, and three of cavalry, and numbering about three hundred and fifty men. On his way the new commander passed through Delaware and Maryland, which had been annexed, by congress, to the southern department, to urge the forwarding of reinforcements. In Maryland he was informed, that Gen. Gist was indefatigably engaged in raising the new levies, a work which, in spite

\* Lee's Memoirs.

† Sparks.

‡ Hanson's Laws.

of every effort on the part of the State, owing to the exhausted condition of the people, proceeded slowly. He held a long conference with the governor and council, and having made his final arrangements hastened to join his army, at Charlotte, in North Carolina, where he arrived on the 2d of December. He immediately commenced a series of active and energetic movements. Smallwood's detachment was drawn into the main army, while a chosen body of troops was placed under the command of Morgan to operate on the western quarter. It consisted of four hundred men, of the Maryland line, under Lieutenant Colonel Howard, two companies of Virginia militia, mostly discharged continentals, under Capts. Triplett and Tate, and Lieut. Col. Washington's dragoons, one hundred in number. When Morgan reached Broad river he was joined by several parties of militia. He took post near the confluence of Broad and Pacolet rivers.

Cornwallis had ordered from the north a reinforcement of fifteen hundred men under Gen. Leslie, who was now approaching to unite with him. Learning the movements of the American forces, he suspected a design against Ninety-Six, and determined to strike a blow at Morgan, before he could be joined by the hardy mountaineers of the west. Accordingly he detached Lieut. Col. Tarleton, with his legion and other forces, amounting to about one thousand men, to pursue him; whilst he, himself, put the main body in motion, to cut off his retreat, if he should escape that active officer. As Tarleton approached, Morgan retreated: and so rapid was the pursuit, that the British columns passed through the ground of the American camp, only a few hours after it had been abandoned. Leaving his baggage behind him under a guard, Tarleton hurried forward through the whole night, and, on the morning of the 17th of January, 1781, came in sight of the Americans, encamped at the Cowpens.

The battle of the Cowpens. Morgan, accustomed to win battles, had retreated with reluctance, although a retrograde movement was rendered necessary by the advance of Cornwallis, parallel to his route: now he had gained sufficient time to risk an action, and, having been joined on the evening of the 16th by Gen. Pickens with a body of five hundred militia, he determined to await the coming of the enemy. The ground was open, and favorable to Tarleton, whose cavalry outnumbered that of Morgan three to one; and, fearful lest the American general would again retreat, that energetic officer immediately formed his wearied troops into line, and advanced to assail him.

Morgan arranged his men with consummate skill. The Marylanders, with Triplett's and Taite's companies of Virginia militia, all old soldiers, composed his main and second line under the command of Col. Howard, and were posted upon an eminence covered with open wood, with Washington's cavalry in their rear, as a reserve. The first line consisted entirely of militia, under Gen. Pickens; while, a short distance in their front, two parties of North Carolina and Georgia militia, were stationed as skirmishers. As the enemy began to advance, Morgan addressed his soldiers briefly, but energetically. He directed the militia to deliver but two or three volleys, and then to retire and form behind the main line. The Marylanders; he reminded of their past glory, "of the confidence he had always reposed in their skill and courage, and assured them that victory was certain if they acted well their part." Then, taking his post, he awaited the advance of the enemy.

Tarleton moved rapidly to the assault. The skirmishing parties of militia delivered their fire, and, falling back, formed on the flank of Pickens' men. The British pressed on with loud shouts, upon the first line, which however maintained an undismayed front, and poured in a close

\* Lee's Memoirs, p. 181.

and destructive fire; but the enemy continued to advance with the bayonet, and the militia, being armed mostly with rifles, retired in haste. A portion, with Pickens, formed on the right of Howard, the rest fled to their horses in the rear of the line. Already believing the victory in their grasp, the enemy pursuing the flying militia, charged upon the continentals. They were met with unshaken firmness. The conflict became desperate; for a time, neither the assailants nor the assailed, seemed to give ground. But the unconquerable spirit of the Marylanders, at length, prevailed, and the enemy began to falter. Tarleton immediately ordered up his reserve, and his line, thus reanimated, again advanced, extending its front so as to endanger Howard's right. That officer, instantly ordered his flank company to change its front, but mistaking the command, it fell back; upon which the line commenced to retire. Morgan at once directed it to retreat towards the cavalry, and assume a new position; a manœuvre which was executed, with coolness and precision, and which effectually relieved the menaced flank.

The British, mistaking the movement for the precursor of a flight, rushed forward with great impetuosity and in disorder to complete their triumph. Perceiving their condition, Howard, not yet having reached the position marked out by Morgan, suddenly faced about, and poured in upon the astonished enemy a close and murderous fire. Their front ranks recoiled under the shock; and, seizing the happy moment, Howard cheering on his men, broke in upon them with the bayonet. The charge was terrible and decisive: and the day was won. Dearly was the slaughter of Camden repaid: the whole British infantry was killed or taken—one hundred, including ten officers were killed upon the field, and twenty-three officers and five hundred privates taken in the flight. Almost at the same instant, that Howard was winning this brilliant victory over largely supe-



rior forces, Col. Washington was routing the cavalry of Tarleton. This sanguinary corps had pursued the retreating militia to their horses and ruthlessly begun to sabre them, when Washington charged upon and drove them before him. With the remains of his cavalry, Tarleton fled from the field, closely pursued by Washington, who at one moment, in the eagerness of pursuit, advanced more than thirty yards beyond his regiment. Tarleton turned upon him, seconded by two of his officers. The officer on the right aimed a blow at Washington, which was intercepted by his Orderly Sergeant Everheart,\* who disabled his sword arm. The officer on the left, at the same moment, aiming a blow at him, was wounded by a pistol bullet fired by a servant boy. The blow of the third—Tarleton himself—Washington parried with his sword, leaving his mark upon the British leader's hand for life. Reining back his horse in rage, Tarleton discharged a pistol at him, wounding him in the knee, and continued his flight. His artillery, eight hundred muskets, two standards, thirty-five baggage wagons, and one hundred dragoon horses, fell into the hands of the conquerors, whose loss amounted to about seventy men, only twelve of whom were killed.

Never was there a more complete, or more glorious, victory. The force of Morgan did not much exceed eight hundred men, half of whom only were regulars—and only eighty cavalry—while that of Tarleton reached a thousand, comprising three hundred and fifty cavalry, and all chosen

\* Of Frederick County, Md.,—he had served throughout the whole revolutionary war, and was well known in western Maryland long after its close. Subsequently visiting Frederick, Col. Washington sent for Everheart, then residing in Middletown in charge of a congregation, and the two old men met and embraced, with tears in their eyes, recurring to the eventful scenes they had passed through together. Everheart died in 1839, aged 74 years, and was buried with every testimony of respect and affection, and with the honors of war.—*Sketch of the Life of Everheart, by L. P. W. B.; South. Lit. M.*





JOHN EDGAR HOWARD.

*John E. Howard*

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men, the very sinews of Cornwallis' army. This splendid force was entirely annihilated. Although the militia did good service—"the weight of the battle," says one, who served in the same campaign with great distinction, "fell upon Howard; who sustained himself admirably, in those trying circumstances, and seized, with decision, the critical moment to complete with the bayonet the advantage gained by his fire." Yet he won the battle without orders; and after he had swept the field by his glorious charge, Morgan rode up to him and said severely, "You have done well—for you are successful—had you failed I would have shot you." At one moment Howard held in his hands the swords of seven British officers who had surrendered to him. Congress awarded Howard and Washington silver medals—Morgan a gold medal—Pickens and Triplett swords.\*

Cornwallis, having been joined by Gen. Leslie and finding himself still superior to Greene, who Greene's retreat. was unable to profit by Morgan's splendid victory, took the bold resolution of burning his baggage, converting his army into light troops, and pursuing the Americans into North Carolina. Morgan immediately hastened to rejoin the main army, and, by forced marches, crossed the Catawba before his pursuers could reach its banks. The British van appeared in sight, just as he had made good his passage; and a heavy rain coming up, the waters suddenly raised, so as to become no longer fordable. The freshet continued for two days and gave the Americans time to dispose of their prisoners, call in their detachments, and make every preparation for retreat. On the third day, the British forced a passage with some loss and pursued the retreating army with great rapidity. As soon as Morgan had crossed the Yadkin, its waters also, as it were providentially, became swollen and impassable from the rains, and the British

\* Lee, p. 134; Marshall.

were again delayed. Cornwallis, despairing of striking the light troops, before their junction with Greene, determined to cut him off from the fords on the Dan, and force him to an action.

The British army numbered twenty-seven hundred men ; that of Greene twenty-three hundred, of which five hundred were militia, and two hundred and seventy cavalry including Lee's corps, then in fine condition and mounted on fresh horses purchased in Maryland, and far superior in quality to those of the enemy. Unwilling to risk an action, until reinforced from Virginia, the American leader determined to retreat towards Guilford Court House, and despatched Col. Carrington, aided by Capt. Smith of the Maryland line, to collect boats for the passage of the Dan, when the army should reach it. To harass the march of his enterprising enemy, he formed a light corps of his best infantry under Howard, Washington's cavalry, and Lee's legion, with a few militia riflemen, amounting in all to seven hundred men, the command of which he offered to Morgan. But that gallant officer then suffering severely from the rheumatism and about to leave the service, declined, and it was tendered to Col. Williams. "This accomplished gentleman and experienced soldier, accepted it with cheerfulness and yet becoming diffidence,"\* and fulfilled the duties of his charge with honor and ability.

On the tenth of February, Greene began his retreat from Guilford ; and Williams with his corps inclined towards the left, throwing himself in front of the advance of Cornwallis. And now began a series of masterly manœuvres, of rapid marches, and severe duty. Cornwallis, finding a strong corps of horse and foot in his front, and uncertain of the object of his enemy, immediately checked the rapidity of his march. Williams, then, selected a route lying between that of Greene, which was on his right or to the east, and

\* Lee's Memoirs.

Cornwallis, on his left or to the west, both armies moving north. The enemy, having condensed his force, renewed the rapidity of his march, and the rear-guard of the light corps under Lee, was constantly in sight of the van of the British under O'Hara. In the night, Williams increased his distance to prevent a surprise; and the duty, sufficiently severe during the day, then became painful and trying in the extreme. The necessity of maintaining extensive pickets, and numerous patrols, kept half the corps constantly in active service. Each officer and man was allowed but six hours sleep in forty-eight, and sufficient time was afforded them for only one hasty meal a day. At three o'clock in the morning they broke up their bivouac and marched forward rapidly, to secure time for their hurried repast; and sometimes they were even deprived of it, by the sudden appearance of the enemy. At night, when the halting ground was reached, worn down with fatigue, officers and soldiers not on duty, cast themselves upon the earth, forgetting hunger in the overpowering weariness, which oppressed them, after forty-eight hours of ceaseless toil and watching. Yet every man performed his duty with alacrity and cheerfulness.\*

On the morning of the thirteenth, Cornwallis changed his route towards Dix's ford, and fell into the rear of Williams; and the pursuit was continued with increased activity, as the two armies approached nearer the Dan. Greene was now in the vicinity of that river, and Williams suddenly changed his route to the road on his right, which had already been traversed by the main army, keeping his corps together ready for a prompt blow against the enemy, if any occasion presented itself. The distance between the van and the rear of the two armies began to diminish. More than once were the legion of Lee and the advance of O'Hara, within musket shot of each other; and the militia

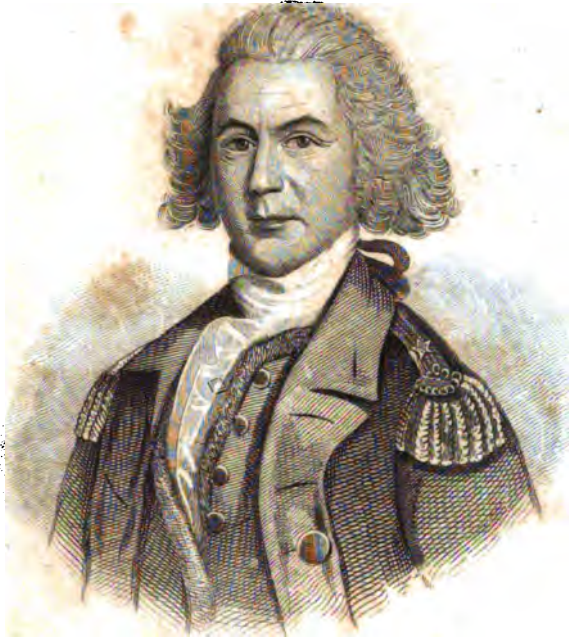
\* Lee's Memoirs.



riflemen were with difficulty restrained from picking off the pursuers. Both parties, however, maintained a pacific demeanor, and seemed like portions of the same army vieing with each other in rapidity and skilfulness of manœuvre. But that seeming holiday parading, was full of interest to the whole south: had Williams' corps been involved with the advance, the strength of the southern army might have been destroyed, and Greene, shattered and no longer covered by his light troops, would have fallen an easy victory to Cornwallis. The burden, therefore, of the retreat fell upon Williams, and gallantly did he bear it. Never, perhaps, was there made so ably conducted a retreat—over such an extensive country, filled with rivers and forests—with so little loss,—scarcely a single man killed or captured, and in the face of an active, energetic and superior enemy, whose van for days was constantly in sight of the retiring rear.

But its termination was at length approaching. On the fourteenth, Williams was informed that Greene had safely crossed the Dan the day before, and, leaving Lee's legion on his former route to amuse the enemy, struck rapidly towards Boyd's Ferry, his men having been cheered up and renovated, by the glad tidings of the safety of that army, for which they had endured such unequalled privations and fatigues. The enemy were still close upon his rear, but the light corps crossed without interruption, and were followed by the legion infantry. At nine o'clock, the cavalry reached the banks of the river, and were safely crossed in the boats, which were there gathered on the northern shore by the providence of Carrington and Smith.

Thus closed this remarkable retreat, unparalleled throughout the war, for the consummate skill of the leaders and the patient endurance of the soldiers of both armies. From South Carolina to Virginia, through a country thickly settled with hostile Tories, in want of provisions and clothing, with



GEN. OTHO W. WILLIAMS.

*O. W. Williams*



only a blanket to every four men, and without shoes, the gallant army, of Greene, maintained its order, in its rapid route, without loss and without confusion; and reached its destination in safety, in spite of every exertion of a superior force under the ablest general, the British service could boast. From its formation, the light corps of Williams, never slept under a tent until it crossed the Dan. By the light of their watch-fires, which partially dried the damp sod, one-half of these brave fellows—wrapped in their blankets, cast themselves down to their brief repose upon the earth, while the rest stood guard or were stationed as patrols.

Cornwallis, baffled in his pursuit, rested his army on the banks of the Dan, and having selected Hillsborough as his head-quarters, returned thither by easy marches. In the meanwhile, Greene earnestly set about gathering reinforcements. He was soon joined by a brigade of Virginia militia; the second Maryland regiment, just raised, was already on its way to his camp, and two new regiments of the Virginia line were preparing to march to his assistance. Fearful lest Cornwallis should be enabled to arm the Tories of North Carolina, he determined to recross the Dan, harass the enemy, and give countenance to the patriots of that State.

On the 18th of February, Lee's legion, reinforced by two veteran companies of the Maryland regiment, under Capt. Oldham, and Pickens' South Carolina militia, crossed the Dan, with orders to gain the front of Cornwallis and repress the loyalists. They fell upon Col. Pyle with four hundred Tories, who were hastening to the British army, and who mistaking Lee for Tarleton, permitted him to draw up his men along their line. Discovering their mistake as he was in the act of passing on to surprise Tarleton, they opened their fire upon him. The legion and infantry immediately attacked them, killing about ninety, and wounding and dis-

persing the survivors. Greene, soon after, advanced into North Carolina, again detaching Williams with a light corps, to distract the attention of the enemy; and by a series of brilliant manœuvres, accompanied with several sharp skirmishes, completely repressed the rising of the royalists and prevented Cornwallis from filling up his ranks with the disaffected young men of the country. In a few days, he was joined by the new levies from Virginia under Col. Green, another brigade of militia from the same State under Lawson, and a body of North Carolina militia. The second Maryland regiment soon arrived in camp; and his whole force then amounted to forty-five hundred men, of whom about sixteen hundred were continentals. He now determined to risk a battle for the recovery of the south. Accordingly on the 15th of March, 1781, he awaited the approach of his enemy at Guilford Court House.

Battle of Guil-  
ford Court  
House.

The American army was drawn out in three lines, upon the face of a hill, at the foot of which ran a small rivulet. On the road, within close shot of this stream, Capt. Singleton was stationed, with two six pounders: on his left, across the road, the North Carolina militia under Butler and Eaton were arrayed. The second line, drawn up in a deep wood, a short distance in the rear, was composed of the Virginia militia, under Stevens and Lawson. The third line consisted of the four regiments of continentals, and was displayed on the right of the road. The Virginia regiments held its right, under General Huger; the first Maryland under Col. Gunby, and the second under Lieut. Col. Ford, formed the left, under Col. Williams. Gunby's was the only veteran regiment; the remaining three were entirely new levies, scarcely broken to camp duties—except a few old soldiers who were distributed through their ranks. The officers however were able and experienced. The right flank was covered by Washington's cavalry. Kirkwood's Delawares, and Lynch's

Virginia militia; the left by Lee's legion and Campbell's Virginia riflemen.

As the enemy approached, Singleton's pieces opened upon them, his fire was returned by the royal artillery, and the cannonade continued while Cornwallis arrayed his army for battle. He formed in but one line—the seventy-first and the regiment of Bose on the right, under Leslie, the twenty-third and thirty-third regiments on the left, under Webster, and the light infantry and yagers in the centre. The first battalion of guards, under Lieut. Col. Norton, supported the right, and the second battalion and grenadiers under O'Hara, the left. The British crossed the rivulet and deployed into line, at a quick step; and advanced upon Greene's first position. The Americans began to fire at a long shot; but Leslie pressed on firmly, and at the first discharge the North Carolina militia were seized with a panic and fled in the utmost disorder. Lee and Campbell still continued to maintain their position. The Virginia militia, under Stevens, stood their ground gallantly. That officer, stung with the recollection of the inglorious flight at Camden, had placed sentinels in their rear, with orders to shoot down every man that faltered or turned back. They sustained their position with courage and firmness, and it was not until the supporting columns of the enemy had been brought up, that they were driven off the ground at the point of the bayonet.

Webster, now approached the third line. He was met by Gunby and Howard of the first regiment: with his usual impetuosity he hurried into close fire, but so firmly was he received by this body of veterans that he was compelled to retire, and wait for the rest of the line. The first battalion of guards now made its appearance in front of the second Maryland regiment, and Williams charmed with the gallantry of the first, hastened to cheer up the second by his presence; but to his astonishment and dismay, the regiment

broke and fled in disorder. Gunby perceiving their discomfiture, immediately turned upon the guards as they were pursuing the fugitives, and an animated struggle ensued between them. Webster was at this moment engaged with Hawes' Virginia regiment and Kirkwood's Delawares; and Gunby, immediately charged up the hill with the bayonet upon the guards under Stewart. His horse was shot under him; and the command fell upon Col. Howard, who, with his characteristic impetuosity, led forward the regiment with such rapidity that Gunby could not again overtake it. Washington's cavalry, at this critical period, fell upon the guards and disordered their ranks, while Howard was rushing upon them with the bayonet. Like a torrent, the old Maryland regiment broke through their ranks, driving them headlong from the field with terrific slaughter, their leader falling under the sword of Capt. Smith: and the remains of that splendid corps were only saved from utter annihilation by a desperate expedient of Cornwallis. Determined to arrest the progress of Washington and Howard, he brought up his artillery and opened upon them, although every discharge swept through the flying guards, slaying alike pursuers and pursued. The remedy was effectual; and Howard assumed the position formerly occupied by the second regiment under Ford—but, seeing several columns of the enemy crossing to his rear whilst he was hotly engaged in front, and finding most of the troops withdrawn, he began to retire, carrying off his prisoners with him. Lee's legion and the riflemen had continued to maintain their position with undaunted valor.

Greene, finding the fortune of the day turned against him by the flight of the North Carolina militia and the second Maryland regiment, and Lee's corps severed from the army, conceived it prudent to provide for a retreat. The remaining troops were accordingly recalled. They retired in good order, covered by Green's Virginia conti-

mentals who had not been engaged; and so costly had been the barren victory of Cornwallis, that he found himself upon the field of battle, utterly unable to pursue his defeated antagonist. The American loss in continentals was fourteen officers and three hundred and twelve privates, of whom five officers and fifty-two privates were killed, the remainder were wounded or missing: and in militia, seventeen officers and seventy-seven privates killed and wounded. The Maryland brigade lost of this number, one major, one subaltern, two sergeants and eleven rank and file killed; five captains, one sergeant, and thirty-six rank and file wounded; and three sergeants, six drummers and fifers, and eighty-eight rank and file missing—a total of one hundred and fifty-four officers and men. Among the slain was Major Anderson, a valuable officer of the line. The British general lost nearly one-third of his army: ninety-three were killed, and four hundred and thirty-nine wounded. Such was his crippled condition, that after burying his dead, he left his wounded who were incapable of being moved, about seventy in number, to the humanity of Gen. Greene, and proceeded by easy marches back towards Cross creek. Greene immediately determined to force him to another battle, and detached Lee's corps to harass his retreat, while he himself, after obtaining a supply of ammunition, brought up the main army. But Cornwallis, conscious of his present weakness, was now anxious to avoid an action, and made his escape to Cross river, and thence to Wilmington which was strongly secured. Greene finding himself too weak to attack that place, abandoned the pursuit and dismissing his militia, permitted his army to repose at Ramsey's mill.

At length, the American general determined to pass by his antagonist and penetrate to South Carolina, where Lord Rawdon was now in command, with the expectation of rallying together the scattered partizan leaders, and redeeming that State from British thralldom. Accordingly on



the 6th of April, 1781, Lee's legion with Oldham's detachment of veteran Marylanders, was ordered in advance to form a junction with Marion, while Sumpter and Pickens were notified by couriers to collect their militia, and to join the main body at Camden. On the 7th, the army began its march for that post. Cornwallis, thrown into great perplexity by this movement, was undecided whether to follow his antagonist south, or, by striking into Virginia, to compel him to retrace his steps for the protection of that State. At length, he resolved upon the latter.

Greene's army, by the detachment of Lee's legion, had been reduced from eighteen hundred continentals to fifteen hundred; but, confidently expecting to find Sumpter in force to join him, he hastened his march towards Camden, fearful lest Cornwallis might retrace his steps to the south and form a junction with Rawdon. To his surprise, on approaching Camden, he learned that Sumpter had neglected to come in with his men; and, disappointed in this expected reinforcement, he was unable to invest that post, although its garrison had been diminished by a detachment of five hundred men, under Col. Watson, thrown out to attack Marion, and now closely watched by that active officer with his partizans and Lee's corps. Greene, therefore, contented himself with sitting down on the north of Camden at Hobkirk's Hill, to await his reinforcements. Lord Rawdon, informed of the condition of his army, and aware that every delay would increase its strength and diminish his own, resolved at once to risk a battle. On the morning of the 25th of April, he marched out from Camden, at the head of nine hundred men to seek his enemy.

The Battle of Hobkirk's Hill.

The army of Greene was encamped upon a ridge, covered with wood, affording facilities for a surprise to an active officer like Rawdon. When the British van fell upon the American pickets—the first notice of its approach—the troops were engaged in cook-

ing their rations and washing their clothes, along the rivulets which traversed the hill side. Captains Benson of Maryland, and Morgan of Virginia, who commanded the out posts, offered a gallant resistance, and, being supported by Kirkwood's Delawares, made good their position until the army was drawn up. The Virginia brigade, under Gen. Huger, was stationed on the right, the Maryland brigade under Col. Williams, aided by Gunby, Ford and Howard, held the left. The artillery was placed in the centre, and Washington's corps of cavalry and two hundred and fifty North Carolina militia were held in reserve.

As the British appeared in presence of his line, Greene perceived their narrowness of front, and ordered his centre regiments to advance with fixed bayonets, while Washington's cavalry fell upon their rear. The fire on both sides was hotly kept up, but Rawdon, extending his front, protected his flank, although Washington was furiously assailing his rear. Hawes' Virginia regiment, and Gunby's Maryland, still somewhat in disorder from its rapid formation, were now descending the hill to charge with the bayonet, when the flank company of Gunby's regiment, joined in the fire contrary to orders. It spread along the regiment—a part of which became confused. Unfortunately, Gunby ordered its right to fall back and form, at the very moment when Capt. Armstrong with two sections was charging upon the enemy. The movement was fatal. As the flank company retired, its leader, Captain Beatty, was killed, and his men became unable to form: the confusion spread, and the whole regiment began to fall back. Seizing this favorable moment, the British line pressed forward with loud cheers, and the veterans of the first regiment, seized with panic, broke and fled. In vain Williams and Gunby attempted to rally them. In vain Howard, "who had so often and so gloriously, with this very regiment, borne down all opposition, appealed to their patriotism,

the recollection of their past glory, the shame of present disgrace."\* Worn down by previous sufferings, emaciated from the scantiness of their food, and brought suddenly to a charge, when only half formed, these brave men seemed to forget the laurels which they had already won. They rallied, at length, but too late to retrieve the day.

The second Maryland regiment had resolutely maintained its ground from the commencement of the action, but being left uncovered by the retreat of the first, became somewhat deranged. Lieut. Col. Ford received a mortal wound whilst gallantly endeavoring to re-form them, and they too began to retire. The first Virginia had already fallen back; and Greene, ever cautious to preserve his army, ordered the troops to retreat, covered by the unbroken regiment of Hawes. The loss of both armies, was about equal; that of the Americans was two hundred and sixty-six killed, wounded and missing, that of the enemy, two hundred and fifty-eight. Capt. Beatty of the Maryland line, than whom there was no more promising officer in the army, was among the slain, and Lieut. Col. Ford, died shortly after the battle from the effects of his wounds.

Greene, mortified at a defeat caused by the defection of a favored and trusted regiment, crossed the waters above Camden, and assumed a strong position, so as to cut off Rawdon from his supplies: But the British general having received a reinforcement, again advanced to attack the Americans. Greene, however, had assumed another position which was too strong to be assailed. Fearing lest his communications with Charleston should be cut off, the English nobleman prepared to abandon the upper country, and sent orders to Cruger to retire from Ninety-Six to Augusta, and Maxwell to fall back upon Orangeburgh.

The American army were now busily occupied in besieging the different strongholds he had left behind him: one

\* Lee

by one, they fell into their hands, until, in the space of a month after Greene's entry into South Carolina, the British general, in spite of his victory, held possession only of Charleston and Ninety-Six. This latter post Greene now hastened to invest. It was defended by Lieut. Col. Cruger with five hundred men, and strongly fortified. After some time spent in making the approaches the garrison was summoned but refused to surrender.

At the same time, Lee and Pickens invested Col. Brown at fort Cornwallis near Augusta. On the night of the 28th, the enemy made a sally to destroy the American works, and drove the guard before them: but Capt. Oldham of the Maryland line, coming up with his support, after an obstinate conflict regained the trenches, and forced the enemy back to his works. Frequent sorties were made; and at length the Americans began to erect a tower of wood, which would enable their riflemen to overlook and command the British works. Oldham's infantry were posted to protect the tower from the attempts of the enemy. In the night, Col. Brown made a fierce sortie to destroy it, and fell upon the rear of Picken's militia. Oldham leaving one company to guard the tower, hastened to relieve the militia, whom Brown was forcing from the trenches. A severe and bloody conflict ensued, but at length the Marylanders carried the victory at the point of the bayonet. Being now completely cut off, and his defences commanded by the riflemen, Brown surrendered; and Lee hastened to join the besieging army before Ninety-Six.

Learning that Lord Rawdon was rapidly approaching, at the head of two thousand men, to <sup>Assault on Ninety-Six.</sup> relieve Ninety-Six, Greene determined to attempt it by assault. Lieut. Col. Campbell, of the Virginia brigade, with the first Maryland, under Capt. Benson,\* and first Virginia regiments, was entrusted with the attack upon the

\* Greene's Memoirs, p. 440.

left; Lee's legion, and Kirkwood's Delawares, upon the right. Lieuts. Duval of Maryland, and Seldon of Virginia, commanded the forlorn hope of the left; Rudolph, of the legion, on the right. The height of the walls had been increased by bags of sand, and parties were armed with hooks to pull them down, while others carried fascines to fill up the ditches. At the signal both divisions rushed to the assault. The storming parties sprang fearlessly into the ditch, and assailed the walls which were defended with bayonets and long pikes, while the riflemen kept up a deadly and continuous fire from behind the sand bags. For three-quarters of an hour, in the face of this terrible discharge, the assailants struggled in vain to drag down the sand bags, and mount the defences. A heavy cannonade was then opened on their flank, and a sally of the enemy, made into the ditch with the bayonet, dispersed the hookmen. Duval and Seldon, after an obstinate resistance, having had nearly all their men killed or wounded, were driven back, and Greene recalled his troops from the assault. On the other side, Rudolph forced his way into the fort, and Lee was about to follow when he was withdrawn by his commander. The loss of the American forces, during the siege, amounted to one hundred and eighty-five killed and wounded, among whom were Capt. Armstrong of the first Maryland regiment killed, and Capt. Benson wounded; that of the enemy was eighty-five.

Greene, anxious to avoid the stronger force of Rawdon, abandoned the siege and retreated towards Charlotte, in North Carolina. Rawdon after relieving Ninety-Six, set out in pursuit of the Americans, but finding his efforts to overtake them useless, returned to that post which he determined to abandon. Greene immediately retraced his steps, waiting for a favorable opportunity to strike a blow against his active enemy. Finding the lower country destitute of provisions, his troops being compelled to live upon

rice, which was suited to neither the Virginians nor Marylanders, who were often times driven by hunger to resort to the flesh of frogs and even alligators,\* he retired again to the healthier regions in the northern part of the State to pass the hot summer months.

On the 21st of August, he broke up his encampment, and hastened to the south to seek the enemy, now under the command of Lieut. Col. Stewart, Lord Rawdon having returned to England. He overtook them at the Eutaw Springs. The American army had been increased, by reinforcements, to twenty-three hundred men; of whom nearly sixteen hundred were continentals. Stewart's force was about equal to that of Greene. On the morning of the 8th of September, (1781,) at four o'clock, the American army was put in motion: its advance soon fell in with a party of foragers, who were entirely cut off. A second detachment met with the same fate, and Stewart was, for the first time, informed by the flying fugitives of the approach of his antagonist. He immediately drew out his army to receive him. Greene advanced in two lines—the militia in front; the continentals in the rear. The North Carolina brigade of continentals, was stationed upon the right under General Sumner, the Virginia brigade, under Lieut. Col. Campbell, in the centre, and the Maryland brigade, under Col. Williams, seconded by Lieut. Col. Howard, on the left.

The militia advanced with spirit and opened a heavy fire upon the enemy, which was soon briskly returned; but they continued to maintain their ground, until the British troops pressed close upon them. Sumner's North Carolina brigade was, immediately ordered up to cover their retreat and check the advance of the enemy. This corps, consisting of newly raised regiments never before in action, pushed forward in good style and the conflict became

\* Greene's Memoirs.

warmer. Greene now brought up the Maryland and Virginia lines, which advanced with a shout, and poured in a destructive fire upon the enemy. Stewart finding the dense line of his antagonist, pressing hard upon him called up his reserve. Sumner's North Carolinians, unable to maintain their position, began to fall back, when Greene ordered the Marylanders and Virginians to hold up their fire and charge with the bayonet. At trailed arms, cheering vehemently, these two gallant brigades, led on by Williams, Howard, and Campbell, rushed upon the enemy, heedless of the close and deadly fire, which was repeatedly poured in upon them as they advanced at a rapid pace. The shock was terrible. Howard's regiment was received by the Buffs, an Irish corps which had just joined the army; and here the fiercest struggle ensued. Neither would yield: but crossing bayonets, their ranks mingled together, and opposing files sank down, each pierced with the bayonet of his antagonist. Thus they were found, grappled in death and transfixed together upon the field of slain, marking the spot, where the Marylanders and Buffs had met in deadly conflict. The officers fought hand to hand. So bloody a strife could not continue long: the rest of the British line had given way, scarcely waiting for the approach of the Americans, and the gallant Buffs unable to maintain the conflict with the veteran Marylanders, broke and fled. Delighted with the conduct of this regiment, Greene rode up and complimented it and its commander in the midst of the action.

The victors followed up their advantage, and pressed the fugitives rapidly before them through their camp, which fell into their hands. A party of the enemy under Major Sheridan threw themselves into a large brick house near the scene of action, and maintained a destructive fire upon the pursuers; while Majoribanks seized a strong position, on the right, sustained by Coffin. This gave time to Stewart to re-form his line. In the mean time, Howard at the

head of Oldham's company continued the pursuit between the house and the head of a ravine, where a portion of the enemy had posted themselves, and recommenced the action; but receiving a severe wound, he was compelled to withdraw from the field. The position, which the British now held, was almost unassailable; and after a vain effort to batter down the house, and to force their lines, Greene determined to recall his men from the action, satisfied that he had won all the honors as well as the benefits of victory.

In the pursuit, three hundred British prisoners were taken, with two pieces of cannon, one of which was captured by Lieutenant Duvall of the Maryland line, a young officer of the highest promise, who was afterwards killed during the action. The battle lasted three hours, and was hotly contested: more than one-fifth of the British and one-fourth of the American army were killed or wounded. Greene's loss was stated at one hundred and thirty-seven killed, and four hundred and eighteen wounded, of whom sixty fell into the hands of the enemy. Nearly sixty commissioned officers were killed or wounded—seventeen being killed upon the spot and four others dying of their wounds. Of the officers of the Maryland line, Captains Dobson and Edgerly, and Lieuts. Duvall and Gould, were killed: and Colonel John Eager Howard, Capt. J. Gibson, Lieuts. Hugon, Woolford, Ewing, Lynn, and Ensign Moor, were wounded. The British lost about five hundred killed and wounded: and as many taken prisoners—making a total of one thousand men.

Greene attributed his glorious success to the free use of the bayonet made by the Maryland and Virginia troops, in their rapid charge, in the face of a murderous fire of artillery and musketry.\* The thanks of congress were voted to each of the corps engaged, and to General Greene, a gold medal, emblematic of the victory achieved. The results of the battle were immediately perceived.

\* Greene's letter, in *Memoirs*; *Lee's Memoirs*: Marshall, &c.



Destroying his stores and more than a thousand stand of arms, and leaving his wounded behind him, Col. Stewart hastily retreated on the evening of the ninth; and having formed a junction with a corps, advancing to reinforce him, took post at Monk's Corner, one day's march from Charleston. Greene endeavored to overtake him before he reached that place, but failing to do so, returned to his camp at the Eutaw Springs.

The great number of his wounded, as also the increased sickness, which the hard service of the last few days had produced, determined the American leader to retire to his favorite camp, on the high hills of the Santee, to recruit his wearied troops. After the fall of Cornwallis, he again descended to the lower country, forced Gen. Leslie, who had succeeded to the command of the southern army, to withdraw into Charleston; and blockaded him there, having redeemed North Carolina, and nearly the whole of South Carolina, from the British sway. The spirit of the hostile army was broken, and although many skilful manœuvres and several partizan strokes ensued, with the battle of Eutaw, the royal supremacy in the south may be said to have terminated, overturned in great part by the bayonets of Maryland. Gov. Rutledge of South Carolina, thinking the time had come for the re-establishment of the state government, convened the Assembly at Jacksonborough. Further reinforcements, composed of the Maryland, Pennsylvania and Virginia troops who had been engaged at the siege of Yorktown, were now received from the northern army, under Gen. St. Clair; and Gen. Wayne, who accompanied them, was despatched into Georgia, which he soon freed from the presence of the enemy. General Gist, who had returned to the south, was placed at the head of the light corps, and Greene continued to hem Leslie in Charleston, until that general announced his determination to evacuate it, which he did peacefully.

with the consent of his antagonist, on the fourteenth of December, 1781.\*

Whilst the Maryland line was thus gloriously occupied in the south, its native State seemed, <sup>The campaign in Virginia.</sup> for a time, threatened with invasion. Arnold, the Traitor, had been detached to Virginia, at the head of an active body of British troops, and had committed great ravages in spite of the militia, who assembled to oppose him. Cornwallis, when Greene after the battle of Guilford passed into South Carolina, hastened into Virginia, and, forming a junction with the forces there, took the command of the whole upon himself. The Marquis De La Fayette, was at once dispatched, by the commander in chief, to Virginia; with a small force to make head against the enemy.

He passed through Maryland on his way, and was hospitably received by the merchants of Baltimore. Being invited to a ball, he was there remarked to be grave and sad. On being questioned by the ladies, as to the cause of his gloom, he replied, that he could not enjoy the gaiety of the scene, whilst his poor soldiers, were without shirts and destitute of the necessaries of a campaign. "We will supply them!" exclaimed these patriotic women. The pleasures of the ball room were exchanged for the needle, and, on the next day, they assembled in great numbers to make up clothing for the soldiers, out of materials advanced by their fathers and husbands. The distresses of his corps were relieved, and blessing the kind hearts and fair hands of the ladies of Baltimore, it hastened to take its share in the severe campaign in Virginia.

The legislature, fearful lest the invasion, open as the bay was, might be extended to the State, caused a select body of twelve thousand militia, to be organized, and held out inducements for the formation of a corps of volunteer cavalry in each county. The glory of the southern battles, won by

\* Marshall; Lee's Memoirs of the South. Campaigns; Tarleton's Cam.

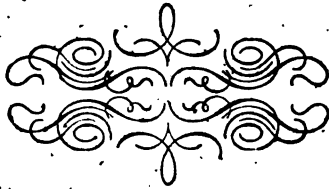
their brethren, had re-awakened the spirit of the people of Maryland, and these measures were effectually and promptly carried out. The third regiment of continentals was speedily completed and despatched to the south, while the formation of the fourth was hurried on. Provision was made for the defence of the bay, and several severe actions took place with the straggling cruizers of the enemy. The fourth regiment under Major Alexander Roxburgh, when raised to its complement of six hundred rank and file, on the 7th of September, was ordered to join La Fayette in Virginia.

Washington, having formed the design of destroying Cornwallis, was now anxious to concentrate as strong a force as possible, in that quarter; while the French fleet seized the mouth of the bay, to cut off the retreat of the enemy. On the eighth, Washington and his suite passed through Baltimore, where he was received with demonstrations of the greatest respect. An address was presented to him on behalf of the people, and the city was illuminated. In a few days, the commander in chief was followed by strong bodies of the northern army; and then commenced those masterly movements, which resulted in the surrender of Cornwallis, with his whole force of seven thousand men, prisoners of war, at Yorktown, on the 19th of October, 1781—the closing struggle of the revolution. In this hard contested siege, a portion of the Maryland troops was engaged, maintaining the honor of the State and the fame of the old Maryland line.

The event was hailed, every where, with joy. The legislature of Maryland was in session, when Washington reached Annapolis, on his way to rejoin the northern army. To greet his arrival, they passed a vote of thanks, and appointed a committee to deliver him an address, on their behalf. A splendid entertainment was provided, and, during the two days which he tarried there, the venerable city,

crowded to overflowing with happy spectators, presented one constant scene of enthusiastic rejoicing. She had the proud honor of first, "saluting him as the PATRIOT, the HERO, and the SAVIOUR OF HIS COUNTRY." Maryland had been the first to propose him for the arduous and responsible station, which was to result in the freedom and the glory of the new republic, and entitle him to the admiration of posterity; it was meet and just, that Maryland should first announce, to him, the gratitude of his country, and bestow upon him those titles, which were to render his fame universal and never dying. The sons of Maryland had often stood foremost in his lines of battle; they were now the foremost to offer him the proud ovation of a republican triumph.\*

\* Votes and Proceedings.



## CHAPTER XV.

### THE CLOSE OF THE REVOLUTION.

THE legislature had made every effort to prepare for the campaign of 1781, and, conscious of the impossibility of meeting the necessary expenses by means of the usual paper money, resolved to have recourse to the patriotism of the wealthier citizens. Accordingly, it was determined to issue two hundred thousand pounds in bills of credit, for the payment of which double their value of the confiscated lands of the disaffected and British subjects was pledged; and, to give additional support to this new issue, an association and subscription were offered for the signatures of the patriotic merchants and planters of the State; by the first of which, they agreed to receive these notes at their par value, and by the second, to take at once, for the purpose of circulation, as much as was set opposite to their names. The security, pledged for the redemption of these bills of credit, was ample. The amount of the confiscated property was large, and but a small portion had yet been sold by the commissioners appointed for that purpose. In addition to this, the association and subscription were extensively circulated: public meetings were held in the different counties, and the pledges almost universally taken. For a time the scheme was successful; but such was the want of confidence in paper money, no matter how issued, or in what manner secured, that in three months, even these bills had depreciated to less than half their nominal value.\*

Tory conspiracy.

The State, while menaced with invasion by Cornwallis, was threatened with domestic insur-

rection, which for a time excited an extensive alarm. The fortunate discovery and prompt punishment of the conspirators, however, allayed the excitement and effectually prevented similar attempts. At the opening of the campaign of 1781, the enemy formed the design of invading the western frontier from Canada. Gen. Johnston, with a body of British troops was to strike at Fort Pitt, whilst Colonel Conolly, already once baffled in his designs in Maryland, was to proceed secretly to the interior, enlist the friends of the crown, and assemble a tory force to co-operate with him.\* It is probable that the preliminary arrangements with the western tories were made through the agency of the British officers of the convention troops, then prisoners at Frederick. Large numbers had already been enrolled in that county, and in the neighboring States, when the conspiracy was providentially discovered at Frederick. Tradition relates that a disguised British officer was to meet a messenger of the traitors at a designated place, to deliver into his hands papers containing every information concerning its progress. The vigilance of the patriots deterred the officer from attending at the appointed place, and the papers fell in the hands of an American officer, who by a singular coincidence was at that moment standing where the tory messenger expected his correspondent. The plot and the names of the leaders were thus at once disclosed: secret and efficient measures were instantly taken. The leaders were arrested and sufficient evidence obtained to insure their conviction. On the 25th of July, seven were brought to trial before a commission, presided over by Judge Hanson, found guilty, and sentenced to be hanged, drawn, and quartered. Three of their number were executed in the court house yard of Frederick.† They persisted to the last, that they were only guilty of doing their duty as lawful

\* Marshall.

† Votes and Proceedings, Senate, Nov. 24th, 1781; Manuscript copy of Judge Hanson's sentence.

subjects of the king of England, whilst their judges and executioners were more truly deserving of the name of rebels and traitors to their king. Whatever may have been the opprobrium cast upon them at that day, it must be acknowledged that they met their fate with firmness, and suffered in behalf of what they considered a just cause. Had the result been different, a different name would have been given to their fate: for whilst one side stigmatized them as traitors, the other mourned over and honored them as true and loyal martyrs.

After the surrender of Cornwallis, at Yorktown, the British government seemed to have abandoned the idea of conquering the United States, and only sought to detach them from their alliance with France. Accordingly, early in 1782, Sir Guy Carleton was despatched to New York, with power to make peace or war, "with the revolted colonies of Great Britain." As soon as his arrival was announced, it was unanimously resolved by the legislature of Maryland that, "though peace with Great Britain and all the world, was an object truly desirable, war with all its calamities was preferable to national dishonor. That this State could never consent to treat with Great Britain, except upon the footing of an equal, and would never enter into any treaty with that power, which would sully its own honor, or violate its obligations to France, its great and good ally." At the same time, to display still further their affection for the French people, on the announcement to the two houses, by the governor, of the birth of a Dauphin of France, they resolved that his excellency should be requested to appoint, by proclamation, a day for the celebration of that auspicious event, testifying their wishes that the young prince might prove a blessing to the nation by following the example of his illustrious father; and that he might continue to preserve their affections by perpetuating that happiness, which they had experienced from an

alliance with a prince and people whose great and good qualities had long since excited their admiration and gratitude.\*

The bay shores were still infested by armed galleys and barges, manned by tories and refugees, who plundered the unprotected farm-houses, carried off, and sometimes, murdered the inhabitants. The French fleet, although still lying at Yorktown, could not effectually put a period to these outrages, for the light draught of their boats enabled the perpetrators to escape, where pursuit was impossible. The legislature determined to re-establish its State marine, and ordered four barges to be equipped and armed with eight pieces of cannon, and manned with two hundred and fifty men; and despatched a member of their body to Virginia, to obtain the co-operation of that State in an expedition to clear the bay. The French commander was also solicited to detach an armed brig and sloop, to cover the lighter galleys in case an enemy of heavy metal was fallen in with. Monsieur Villebrun, then on that station, readily afforded the required aid. The commerce of the bay was soon relieved; and the inhabitants protected by these effectual measures.†

But the dangers and alarms of war were near <sup>Peace with Great Britain.</sup> their termination. Tired with the struggle, and hopeless of success, England determined to put a close to a contest, which from absolute exhaustion on her part, had dwindled down to a mere possession of the city of New York, and a petty marauding system in the bays, and on the coasts of the States; and a provisional treaty was concluded on the third of February, 1783, actual hostilities having ceased a considerable time before.

Throughout the whole contest Maryland had been distinguished for its zeal in support of the common cause—ever coming forward with readiness, at the call of the com-

\* Votes and Proceedings, Senate.

† Ibid.



mander in chief. In spite of the difficulties, with which it was surrounded, it had furnished during the war, to the continental army, fifteen thousand two hundred and twenty-nine men, in addition to those enlisted in the independent corps, the State companies, the marine and naval force; and five thousand four hundred and seven militia.\*

The Maryland Line. No troops in the continental army had rendered better service, endured more fatigue, or won greater glory than the Maryland line. In proportion to their number, no body of men suffered more severely. They were the first to use the bayonet against the experienced regulars of the enemy, and that in their earliest battle—and, throughout the succeeding struggles of the war, they were most often called on to lead with that bloody weapon into the ranks of the foe. They seldom shrank from the encounter. At Long Island, a fragment of a battalion shook, with repeated charges, a whole brigade of British regulars. At White Plains, they held the advancing columns at bay. At Harlem Heights, they drove the enemy from the ground. At Germantown, they swept through the hostile camp, with their fixed bayonets, far in advance of the whole army; and at Cowpens, and at Eutaw, their serried ranks bore down all opposition with unloaded muskets. And at Guilford, and at Camden, though victory did not settle on their banners, they fought with a courage which won the admiration and surprise of their enemies. Every where they used the bayonet with terrible effect.

Entering into the war two strong battalions, they were soon reduced to a single company. Again swelled up to seven regiments, they were again thinned by their losses to a single regiment and before the campaign had well passed they were once more promptly recruited to four full battalions of more than two thousand men.

At least two of their colonels, Williams and Howard,

\* See Appendix, E.

were considered as the best officers of their grade in the army. Gunby, Hall, Smith, Stone, Ramsey, and the lamented Ford, who died gallantly at the head of his regiment, were equal to any others in the whole continental service.

Entitled to a major-general from their own State, and two brigadiers, they submitted for a long time to be led by strangers; until, upon the death of the brave De Kalb, Smallwood was promoted to the command of the division, and Gist, and afterwards the gallant Williams, to that of the two brigades. Now that the war was over, the remnants of the old line and the new regiments, having already, upon the scene of their southern exploits, been presented, through Gen. Greene, with the thanks of both houses of the legislature for their gallantry and good conduct, turned their footsteps towards their native State, to be disbanded, and to carry to their homes their honorable scars, and constitutions broken by fatigue.

When about to separate, the officers of the army, <sup>The Cincinnati</sup> anxious to constitute some binding link of brotherhood in remembrance of their long service together, determined, at the suggestion of Gen. Knox, to form a society, to be called in honor of the old Roman patriot, "the Society of the Cincinnati." After making some preliminary arrangements, on the 13th of May, 1783, at the cantonments on the Hudson, a meeting of the general and field officers, and of delegates from the officers of each regiment, was held, and the principles of the association agreed upon. They proposed as their object, the preservation of those liberties for which they had fought and bled; the maintenance of the union of the States; and the continuance of the friendly relations and good offices, which were due between companions in arms and sharers of so long and perilous a struggle. Their views partook of the highest order of benevolence. To afford assistance to those of

their brethren, or their widows and orphans, who might become destitute, a fund was established, and each officer, upon his admission to the society was required to deposite in it the amount of one month's pay. The right of admission to the association was limited to those who had fought in the revolution and their descendants. Honorary members, however, might be elected from the civilians. A distinct society was to be formed in each state, of the officers belonging to the line of that State, and the general association, composed of five delegates from each of the subordinate societies, was required to meet at Philadelphia at least every three years. Gen. Washington was chosen the first president. He immediately wrote to the principal officer in each State, advising the formation of the State society.\*

Maryland Society.

In compliance with this request, the officers of the Maryland line assembled at Annapolis, on the 21st of November, 1783; Gen. Otho H. Williams was placed in the chair, and Lieut. Col. John Eccleston made secretary. They then organized permanently by electing Major Gen. Smallwood president of the society; Brigadier Gen. Gist, vice-president; Brigadier Gen. Williams, secretary; Col. Ramsey, treasurer; and Lieut. Col. Eccleston, assistant treasurer.† They selected Annapolis, as the place of their annual meetings. The name of the society was indeed appropriately assumed from the brave old Roman patriot, who, having been taken from the plough to free his country from invasion, when his task was accomplished, laid down his sword again to return to the plough. Each one there was in truth a Cincinnatus.

The society, however, was looked upon with distrust and jealousy by the people. They dreaded the formation of an order of nobility from it; and it was soon every where assailed. By the advice of Washington the obnoxious

\* Sparks, 9—22; Marshall, v. 30.

† See Appendix, F.

features of its constitution, that especially of hereditary right of membership, were altered, and the hostility excited against it subsided.

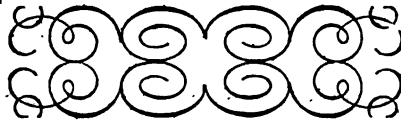
As the war was now closed, it became an object of interesting inquiry, where the <sup>Seat of the National Government.</sup> seat of the national government should be permanently located. The people of Maryland, from their central position, deemed their State to combine the greatest advantages; and the corporation of Annapolis addressed a memorial to the legislature, at the April session of 1783, offering the city to the general government. The two houses, in consequence, directed a proposition to be made to congress, tendering to that body, in case it removed the seat of government to Annapolis, the use and possession of the state-house for their sessions; the public square; the governor's house, as a residence for the president of their body; thirteen dwelling houses, to be erected at the expense of the State, for the accommodation of the delegates from the thirteen States of the Union; and complete jurisdiction over the city and people of Annapolis. Congress seemed to be affected by several of the reasons set forth in the memorial and resolutions, and while they determined to fix the seat of government in Maryland, deemed it more prudent to select some other place than that already occupied by the State capital. They resolved, in October, that it should be removed to a site, to be selected upon the Potomac, near Georgetown. However, they accepted for the present the accommodations, tendered them by the State, and adjourned from Princeton to Annapolis. The legislature welcomed them with great cordiality, gave up one of their halls for their use; while the governor, William Paca, surrendered the government house to their president. The legislature further pledged themselves to take suitable measures, for their permanent establishment, as soon

as the site of the new federal city and its boundaries should be marked out.\*

Gen. Washington had already notified the  
Washington  
resigns his  
Commission. several States of his intention to resign his commission and retire to private life. He now hastened to Annapolis, where he arrived on the 17th of December, to consummate his purpose. He was met a few miles from the city, by Generals Gates and Smallwood, with the most distinguished citizens of Maryland, and escorted to the apartments prepared for his reception. His arrival was announced by salvos of artillery. He was greeted with an enthusiasm, worthy of the venerable city, the seat of old colonial politeness, learning and splendor. The members of congress, honored him with a public dinner; at night the state-house was illuminated: and a ball, the favorite amusement of Annapolis, given by the members of the assembly, and attended by the beauty and fashion of the city and the State, and the most distinguished men of the confederacy. Addresses were presented to him by the legislature and the city authorities, to which he replied in his usual dignified and happy manner. Every one vied in doing him honor. All the preliminaries having been arranged, on the 23d of December, in the presence of both houses of the State legislature, the governor and council, many military officers, and a crowd of anxious spectators, the great chief entered the senate chamber where congress was in session, and advanced towards the speaker's chair. After a decorous silence of a few minutes, he addressed the president and members of congress, in a calm yet feeling and eloquent manner. When he had concluded, he delivered into the hands of the president that great commission, under which he had achieved the liberty and independence of America, recommending his companions in arms to the gratitude of his

\* Votes and Proceedings

country, and his country to the care and guidance of the Almighty Ruler of heaven and earth. The president, on receiving the commission, testified to him, on behalf of congress and the people of the United States, their gratitude for his long, glorious and persevering fidelity to his country; pledged to him, as the highest and noblest of earthly rewards, the love and veneration of present and future generations; and invoked the blessings of heaven upon his head. Then calmly, as if he had not just resigned the highest place in his country's gift and broken the sword of his own power for its lasting good, unmoved by the weeping eyes and sorrowful countenances that mourned his adieu—the great man, now truly greatest in heroism, retired from that hall, which had thus been consecrated for ever by this noble scene; and without one regret, betook himself to the domestic seclusion of Mount Vernon.



## CHAPTER XVI.

### EVENTS FROM THE REVOLUTION TO THE WAR OF 1812.

**T**HE war having closed, the attention of the people and the government was drawn to the condition of the finances. Not only was the treasury of the United States empty, and congress burdened with a debt of forty-two millions of dollars in specie, but the several States were also involved to a large amount. The commissioner of Maryland, Matthew Ridley, had succeeded, in 1781-2, in negotiating a loan for three hundred thousand guilders, in Holland, with the Messieurs Vap Staphorst; but the legislature, believing the terms to be disadvantageous to the State, in 1783 annulled the contract, and directed the agent to repay the money already in his hands: the affair however was not finally settled for several years. The taxes were collected to a great extent in specific articles, which were sold for the benefit of the treasury. Every expedient however failed to enable it to meet the demands upon it.

Congress now called on the States to aid it in imposing certain duties on exports and imports, to cover the interest of the public debt—estimating the proceeds thereof at one million dollars, while the balance, a million and a half, was divided among the several States. The portion of Maryland amounted to one hundred and forty-one thousand five hundred and seventeen dollars.\* The legislature immediately passed a law authorizing congress to levy the required duties; and to restore, as far as possible, the credit of the State, ordered the consolidation of all its funds,—the collection of the purchase money of confiscated British

\* Pitkin.

estates, the sale of the barges and other public property ;— and laid a heavy tax for the ensuing year. Several of the States were not so prompt. New York refused to grant congress the authority it required ; and some States neglected to raise their quota of the annual interest, on the public debt. It was therefore unpaid, and congress was obliged to issue certificates, which soon depreciated to one-tenth their nominal value, as the public confidence in the authority and resources of the government began rapidly to decline.

Prior to the war, Maryland had invested the sum of twenty-seven thousand pounds sterling in the stock of the Bank of England : during the revolution, the legislature had drawn bills of credit upon the trustees for the amounts of the dividends which had been uniformly protested. They now appointed an agent, Samuel Chase, to proceed to England and recover the amount of the accumulated dividends and to sell the stock, for the purpose of honestly meeting their liabilities as speedily as possible. Difficulties and disputes arose, and a considerable period elapsed before success crowned the efforts of the agent. It was at length settled ; and after deducting ten thousand pounds paid to the late Proprietary, Mr. Harford, whose claims for lands and quit-rents the State had rejected, and discharging several other items arranged for in the compromise, the proceeds of the sale and collections amounted to the sum of six hundred and fifty thousand dollars. A portion of this sum was afterwards invested in bank stocks now held by the State, the balance sunk in works of improvement.

The burdens of the people, arising from the expenditures of the war and the derangement of foreign and domestic trade, were rendered still more severe by the collection of debts due to British subjects, which had lain dormant during the war, and for the unobstructed recovery of which, an article had been inserted in the treaty, con-



trary to the wishes of several of the States. Yet in the midst of all these difficulties, Maryland began to recover from the effects of the late struggle, and its statesmen looking forward to its future growth and prosperity, laid the foundations of those public works, which are destined at no distant day to pour into its lap uncounted treasures. A company was formed for the purpose of constructing a canal, from the Pennsylvania line, along the Susquehanna to tide water, and incorporated in 1784, under the name of "The Proprietors of the Susquehanna Canal."\*

The Potomac  
Company.

The rich lands of the west and its mild climate had already attracted the attention of the settler, and crowds of hardy emigrants flocked thither to make the wilderness bloom with civilization. It became a matter of serious importance to open a convenient route for travel and transportation between the Atlantic and the growing settlements. The position of the Potomac on the map, pointed it out as one of the most eligible means of effecting this desirable object. The idea originated with the greatest men of the day: and one of its most ardent friends and supporters was Gen. Washington. To carry it into effect, Virginia and Maryland appointed conferees who assembled at Annapolis on the 22d of December, 1784, to devise some united action. Gen. Washington and Gen. Gates appeared in behalf of Virginia: Messrs. Thomas Stone, Samuel Hughes, Charles Carroll of Carrollton, John Cadwallader, Samuel Chase, John De Butts, George Digges, Philip Key, Gustavus Scott and Joseph Dashiell, on the part of Maryland.

Gen. Washington was accompanied to Annapolis by the Marquis de La Fayette, and the inhabitants of the ancient city again vied with each other in doing honor to the Father of his country, and his distinguished friend and compatriot. Addresses were presented to the marquis, by the governor

\* Hanson's Laws; Votes and Proceedings.

and council, and by both houses of the legislature. To testify further their gratitude for his generous devotion to the cause of American liberty, they passed an act to naturalize him and his heirs male, for ever, thus bestowing upon them those rights of citizens of Maryland, which he had so nobly aided in defending. They also ordered the governor to procure a full length portrait of General Washington painted by Charles Wilson Peale, a native of Annapolis, in pursuance of a resolution passed in 1781, to be placed in the hall of the house of delegates, which it still adorns.

The conferees determined, that to render the Potomac navigable was a work worthy of the efforts of the two States, as a means of communicating with the West, by a road some forty miles in length from the head of its waters to those of the Ohio, thus opening an easy channel of communication with that rich country. To accomplish this project, it was proposed that the two States should charter a company to be called "the Potomac Company," and subscribe each for fifty shares of its stock; and direct a survey of the route to be made at their joint expense.\* Their recommendations were immediately adopted. The Potomac Company was chartered and Gen. Washington was chosen its first president. So deep was the interest which he took in this great design, that he assisted in the survey of the river, in person.† It was then supposed that the Potomac could be rendered navigable by locks and dams, and short canals, and the works for this purpose were very soon undertaken. But experience proved the fallacy of the idea. When the Potomac Company was subsequently merged in the Chesapeake and Ohio Canal, these works were abandoned and a more comprehensive plan adopted.

\* Votes and Proceedings, Legislature, 1784, p. 24.

† Tradition says, that his party cut down a tree on the lands of Mr. Johnson on the Monocacy, made a canoe, descended that stream, and then entered on the survey of the Potomac.

Commissioners were also appointed to consult with commissioners from Delaware and Pennsylvania, on the propriety of effecting an inland communication between the Delaware and Chesapeake bays. The peculiar position of Virginia and Maryland, upon the bay, and the navigable waters of the Potomac, rendered it necessary that their respective rights should be accurately defined; and a convention was entered into by the representatives of the two States, appointed for the purpose, which secured to Maryland her proper jurisdiction, and protected her in the full enjoyment of the navigation of those waters.

The removal of the dangers and impediments, which had obstructed commerce during the war, gave the city of Baltimore a new impulse. Situated as it was, it needed only the blessings of peace to spring forward rapidly in prosperity; and the enterprise of its merchants, relieved from the incubus which had weighed down their energy, began to display itself at once in its increasing commerce and population. In 1782, it only numbered eight thousand inhabitants; but from that time it moved onward with an impulse, which no difficulties could retard, until it has become the third city in the Union, and the commercial emporium of the south.

**Ecclesiastical  
affairs.**

Connected, as the colony had been with England, several of its religious denominations were subject to spiritual superiors in that country. The Catholics of the State were under the jurisdiction of a vicar appointed by the Catholic bishop of London, and the Episcopalians were subject to the Protestant bishop of the same city; while the Methodists looked to Mr. Wesley of England for ministerial appointments.\* It now became desirable to establish separate ecclesiastical organizations; and the Catholic clergy assembled at White Marsh, on the 27th of June, 1783, to draw up a system for their govern-

\* *Annals of Baltimore.*

ment. After several meetings these articles were completed, and the Rev. John Carroll, at their request, received from Rome the necessary powers of spiritual superior.\* A few years afterwards he was appointed a bishop, was consecrated in England, whither he went for the purpose, and returned to his see of Baltimore in 1790, the first bishop in the United States, over the whole of which his diocese extended. In 1810, his see having been divided into several bishoprics, he was elevated to the rank and dignity of archbishop.

The Episcopal church had suffered much during the revolution from the impossibility of obtaining ordination for its clergymen. It was a common want throughout the country: and the Rev. Samuel Seabury, of Connecticut, was despatched to England in 1784, to obtain consecration as a bishop of the Episcopal church. Many obstacles were there thrown in his path, but he returned in the ensuing year. Several others, in due time, were consecrated, and in 1789, the Book of Common Prayer, as now used, was ratified and adopted by a convention of that church. The application of the Methodists to Mr. Wesley, resulted in the appointment of Dr. Thomas Coke as superintendent.†

Whilst these steps were in progress for the reorganization of the religious bodies, the cause of learning and science was not neglected. A college had been established at Chestertown, on the Eastern Shore—named in honor of the Father of his country, Washington College. An additional college in connection with it, and under the patronage of Rev. Drs. Carroll, Smith and Allison, was now opened at Annapolis, under the title of "St. John's College;" and the two were erected into the "University of Maryland." Various other measures were taken for the advancement of education—the best means of securing the prosperity of the

\* Life and Times of Archbishop Carroll, by B. U. Campbell.

† Annals of Baltimore.

State and the permanency of its institutions by the enlightenment of the people.

The land office was again opened, and the bounty promised the soldiers of the line laid off for them. The officers were not neglected. The depreciation of their pay was made good to them, and those, who had served in the independent corps, were placed upon the same footing with regard to half pay and pensions, as the officers of the line. Upon their commander, a higher reward was bestowed. On the expiration of the term, for which William Paca was eligible, in 1785, Major Gen. Smallwood was elected governor; and continued in the office during three successive years. He was succeeded by Col. John Eager Howard, whose terms extended into 1791—ample proofs of the affectionate regard of the people and legislature towards the gallant men who had won so much glory for Maryland.

But the memory of Smallwood seems nearly forgotten; and, on his paternal estate now in the hands of strangers, he sleeps in a lonely grave, by the waters of the Potomac, almost within sight of the tomb of his great leader at Mount Vernon—near him in death as he had adhered to him in life. Faithful, modest, brave and patient in his life, he sleeps there in death, unhonored, without a tombstone to mark the spot, or an enclosure to protect his last resting place from desecration—seldom remembered by those who pass between the graves of the two generals—to the capital of the nation.

Constitution of the Union. While Maryland was thus rising out of the midst of those difficulties, which the trying struggle of the revolution had left behind—the national congress was every day sinking more rapidly, in the estimation of the people, until all its authority, based as it was upon public opinion, passed away from it. The pressure of State and national debt, the troubles brought on by the collection of the claims of British creditors—the most ob-



GEN. SMALLWOOD.

*W. Smallwood*



noxious of all—and the renewed paper issues of the northern States, who failed to meet the crisis by imposing taxes, as Maryland had done, produced a state bordering on anarchy. In Massachusetts, the courts were closed and the judges prevented from performing their official duties, and the whole power of the government set at defiance. Partial insurrection broke out in other States. The federal government was almost powerless. Fortunately there was still sufficient patriotism in eastern Massachusetts to maintain order, and General Lincoln, at the head of four thousand militia, succeeded in quelling the disturbance. But one thing these events evidenced to all—that there was no hope of national prosperity and strength, without the infusion of a more vital and energetic spirit in the general constitution.

It was at length proposed, that commissioners, from the different States, should assemble at Annapolis, to take into consideration the condition of the nation. In September, 1786, delegates from Virginia, Pennsylvania, Delaware, New Jersey and New York, attended; as the States were but partially represented, they deferred the business for which they had assembled, and issued an address, calling on all the States to send delegates to a convention to meet at Philadelphia, on the second Monday of May, 1787, to devise some means to give stability to the confederation. The proposition was approved by congress, and adopted by all the States, excepting Rhode Island.\* On the twenty-third of April, 1787, the legislature of Maryland selected five delegates, by joint ballot, to represent the State in the convention about to assemble, with power to revise the articles of confederation. They were Robert Hanson, Harrison, Charles Carroll of Carrollton, Thomas Stone, James McHenry, and Thomas Sim Lee. Several of these gentlemen having declined, others were elected in their stead,

\* Pitkin.



and on the 26th of May, when the act of appointment finally passed, the delegation was composed of James McHenry, Daniel of St. Thomas Jennifer, Daniel Carroll, John Francis Mercer, and Luther Martin.\*

On the 14th of May, the convention assembled at Philadelphia, and organized by electing Gen. Washington president of the body. On the 17th of September, 1787, they concluded their labors, and agreed upon the present constitution and form of government of the United States, which they laid before congress. That body immediately directed that copies of the constitution should be transmitted to the several legislatures, to be submitted to a convention of delegates, chosen in each State by the people, in conformity with the resolves of the convention.

The legislature of Maryland, in compliance with this resolve, on the first of December in the same year, by resolution, recommended the people of the State "to submit the proceedings of the federal convention, to a convention of the people for their full and free investigation and decision." For this purpose, they further recommended, "that such of the inhabitants, as were entitled to vote for delegates in the assembly, should choose four persons for each county, and two for the cities of Baltimore and Annapolis, in the mode prescribed for holding other elections, to serve in the said convention." The qualifications of delegates were, that they should be citizens of the State, twenty-one years of age, having resided therein at least three years, and in the county twelve months before the election. The convention was directed to assemble at Annapolis, on the twenty-first of April, 1788,—if they approved the constitution, "to ratify it finally in behalf of the State and report their action to congress."

This great question naturally divided the opinions of the people. Every one admitted the necessity of immediate

\* Votes and Proceedings.

change; and, whilst one party were inclined to strengthen the State authority at the expense of the general government, dreading too great a centralization of power, and a gradual destruction of freedom and State independence; the other, principally those who had served during the war, hoped to derive from an efficient national government, that unity which would ensure prosperity, and that stability which would demand respect from abroad and secure at home the blessings of peace, order, and good government. In the national convention various plans had been proposed; and out of the clashing extremes and the conflicting feelings and interests represented there, generated by the spirit of compromise, and matured by an assemblage of talent never surpassed, had sprung into existence that great instrument, the constitution of the United States. Under its admirable workings the old thirteen, trembling from the effects of a long and trying war, and already shrinking in fear from domestic anarchy and confusion, received new strength and energy, and have grown with their younger sisters of the south and west, to greatness and prosperity far beyond the wildest dreams of the most sanguine of its framers. Yet it was then only an experiment; and it had warm opponents. Its friends immediately began to advocate it before the public, and the papers written in its explanation and defence, under the title of "the Federalist," by Madison, Hamilton and Jay, became afterwards a great constitutional authority for its interpretation.

The Maryland convention assembled at Annapolis on Monday, the twenty-first of April, and <sup>The Maryland Convention.</sup> organized by electing the Hon. George Plater, president, and Wm. Harwood, clerk. On the 23d the proposed form of government was read the first time, and it was thereupon resolved that the convention would not enter into any discussion upon it until after the second reading. On Thursday the 24th, after its second reading, several ob-

jections to the constitution were debated; and Wm. Paca, of Hartford, after stating his views asked the convention to adjourn over to the next day to give him time to prepare amendments to accompany the ratification, which was accordingly done. When the convention assembled, however, it was urged by many of the delegates that the members had been elected solely to ratify and confirm the constitution on behalf of the State, and, the majority sustaining this view, the amendments were not received. The objections to the constitution were, however, still urged until Saturday evening, when the final question was put "whether the convention assent to and ratify the proposed plan of federal government for the United States." It was carried in the affirmative by a vote of sixty-three to eleven. A certificate of their ratification was signed by the members on the 28th, and despatched to congress.\*

The constitution having been thus ratified, on motion of Mr. Paca a committee of thirteen was appointed to draft amendments, a series of which, thirteen in number, were agreed to in committee, while fifteen others were rejected by the majority of the committee. Unable to agree upon the latter series, the majority determined to make no written report of amendments to the convention, but those which had been agreed on by the committee were read to that body by Wm. Paca, the chairman. Having passed a vote of thanks to the president, the convention then adjourned after a session of nearly two weeks.†

On the 2d of July, 1788, the ratification of the new constitution by nine States, including Maryland, was laid before the old congress, then still in session; and preparations were immediately made for carrying it into effect. The States were directed to appoint their electors on the first Wednesday of January, 1789, who were to assemble at New York on the first Wednesday of February to cast

\* See Appendix, I. † Elliot's Debates on the Fed. Con. vol. 2.

their votes for president and vice president of the United States; and the month of March was fixed as the time, and New York the place, for commencing proceedings under the new constitution.\*

In several articles—the second and eighth sections—the new national constitution clashed with and repealed provisions (the 28th and 33d) of the existing constitution of Maryland, although adopted by a convention of the people assembled by a simple resolution of the legislature, and followed by no other sanction or ratification;—a proceeding seemingly subversive of the fifty-ninth article of the State constitution. But it is scarcely credible, that the statesmen of Maryland at the very moment when they were endeavoring to increase the stability of the national, would have deliberately disregarded the requisitions of the State constitution. It is, perhaps, more probable that they understood the restriction of the fifty-ninth article, taken in connection with the forty-second section of the declaration of rights, as binding only on the legislature, and in no manner interfering with the right of the people to alter and amend, or renew that instrument by means of a convention assembled by a simple resolution—a construction strongly contended for at the present day. They seemed to have considered, that as a convention of the people had power to frame a constitution at the outset, so a similar body under the very theory of the government, properly constituted, would always have power to alter or renew it; and the forty-second and fifty-ninth articles simply provided an additional means and conferred a new power, by which amendments might be made, through the legislature, thereby rendering unnecessary a too frequent resort to conventions.

The national legislature, composed of senators and representatives from eleven States, assembled at New York

\* Pitkin, vol. 2, 291.

on the 4th of March, 1789; a quorum was not obtained, until the 6th of April, when the electoral votes were counted, and George Washington was declared to be, unanimously, elected president, and John Adams, by a majority, vice-president.\* The six electoral votes of Maryland were cast for Washington, for president, and Robert Hanson Harrison, of Maryland, for vice-president. Gen. Washington was, accordingly, notified of his election; and hastening to New York, amid the gratulations of a whole people, making his progress one triumphal ovation, was qualified on the 30th of April, 1789. Congress was immediately occupied in bringing into order the distracted affairs of the government, and in discussing several amendments of the constitution, which were afterwards adopted, and which were confirmed by the States.

**Public Debt.** Before the close of the session, they directed Mr. Hamilton, secretary of the treasury, to report at their next session a plan for the restoration of the national credit. His report was presented in January, 1790, and, in compliance with its suggestions, congress determined to assume twenty-one millions and a half of the State debts, issuing to the creditors certificates of loans, bearing interest, annually, at the rate of three and six per cent. By this measure Maryland was relieved of eight hundred thousand dollars of its debt; and as congress, to render these steps effective, at once established a tariff of duties on imports, the credit of the State, thus aided, rose rapidly with that of the nation. Its expenditures during the war amounted to the enormous sum of seven millions five hundred and sixty-eight thousand one hundred and forty-five dollars and thirty-eight cents, in specie; of this amount the old federal congress had advanced, at several periods, an aggregate of one million five hundred and ninety-two thousand six hundred and thirty-one dollars and thirty-eight cents, leaving an actual

\* Pitkin; Marshall.

outlay by this State of five millions nine hundred and seventy-five thousand five hundred and fourteen dollars.\* A large portion of its expenditures had been met by the proceeds of the confiscated British property, and by the taxes which were yearly imposed during the revolution and continued after its close.

As soon as congress had passed the necessary laws for the organization of the government, the president made his appointment of public officers. Robert H. Harrison, of Maryland, was nominated one of the associate justices of the Supreme Court of the United States; William Paea, judge of the District Court of Maryland; Richard Potts, attorney; Col. N. Ramsey, marshal; and Capt. Joshua Barney, clerk: Gen. Otho H. Williams, collector of the port of Baltimore; Robert Purviance, naval officer; and Col. Robert Ballard, surveyor.†

The first electors and members of congress, had been chosen by general ticket. The legislature, in 1790, in order to carry the constitution into effect, divided the State into six congressional districts, and directed that one member should be selected from each. Electors were still to be chosen by general ticket, but at least three of them were required to be taken from the Eastern Shore. The voting was in all cases *visd voce*, and not by ballot. Upon an increase of the number of the representatives to eight, a different division became necessary, and the State was laid off into ten electoral districts.

The national government had not yet adopted any permanent residence, for the resolutions of District of Columbia. of the old federal congress were not carried into effect. Several States had made a tender of ground, for its location, but none so liberal as that already offered by Maryland. The State, now, made another proposition to the new congress, and directed its representatives to cede to the United

\* Pitkin.

† Annals of Balt., &c.

States, a district of ten miles square, in any portion of its territory which congress might select. That body, for a long while, hesitated between the Delaware and the Potomac. Party spirit already ran very high, and sectional feeling entered into the deliberation. At length the southerners prevailed; the Potomac was selected: and time has proved the propriety of the choice. Washington, Madison, Lee and Carroll, were among the friends of the present site, and they urged, as their reasons, that the seat of government should be removed from the neighborhood of populous cities,—should be as central as possible, and, while at the head of tide water on the Atlantic, in such a position, as would enable it, at some future day, to be connected by a noble canal with the great waters of the west. For this reason the present site was selected. The hill upon which the capitol was afterwards built was already called Rome, and the rivulet which washed its base, the Tiber;—omens of the future greatness of the Republic, whose capitol was about to be erected there—a capitol, which would in itself, renew the glories of the old Roman Republic, and send its conquering stars and stripes—stars for its friends and stripes for its foes—o'er sea and land, into climes where the Roman Eagle never penetrated.

Messrs. Johnson, Stewart and Carroll, were appointed commissioners, in 1790—the district was laid out on both sides of the Potomac, ten miles square, embracing nearly equal portions of Virginia and Maryland—including Georgetown and Alexandria, and called, “the Territory of Columbia.” The new city, whose site was selected for the National Metropolis on the Maryland side, was named in honor of the Father of his country, the city of Washington. On the 18th of September, 1793, the corner-stone of the north wing of the Capitol, was laid by Gen. Washington in person. The public buildings, however, were not suffi-

ciently advanced to admit the removal of the government thither, until the year 1800, when congress met there for the first time in the month of November. But Washington, the great patron and friend of the new city, did not live to see that day. He died on the 14th of December, 1799.

Finding that the duties on imports were insufficient to supply the wants of the treasury, congress determined to levy an internal excise; and whiskey, as one of the most common and deleterious articles of consumption, was selected as the principal subject. The tax met with great opposition, especially in western Pennsylvania. It had increased to such a height, in 1794, that the revenue officers were no longer able to perform their duties. For three years, this lawless population set the measure at defiance, and they, at length, proceeded to acts of violence against the officers of the United States. The marshal of the district was captured by an armed mob, his life threatened, and he was compelled, under the fear of immediate death, to engage not to serve any process, west of the Alleghanies. The house of Gen. Neville, the inspector, was assailed:—he made his escape,—but, a small garrison of soldiers from Pittsburg attempting its defence, it was taken by assault and burned to the ground. The whole region was in arms, and Gen. Washington, having resorted in vain to every peaceable means, determined to quell the insurrection with the sword. Requisitions were made upon the governors of Maryland, Pennsylvania, New Jersey and Virginia, for their quotas of fifteen thousand men, to be ready at a minute's warning.\* An attempt at conference failed—and it being reported that the insurgents were gathering in force at Cumberland in Maryland, for the purpose of marching on the arsenal at Frederick, whither the arms of the State had been removed at the close of the revolution, an immediate call for the troops of Maryland,

The Whiskey  
Insurrection.

\* Sparks; Marshal; Proclamations, &c.



was made by the governor, and promptly answered. Five hundred men marched from Baltimore alone, and the remainder of the requisition was filled up by the militia of the counties, who came forward with the greatest alacrity. The general point of rendezvous was Cumberland: and the whole militia force was placed under the command of Gov. Lee, of Maryland. The march of the army produced a salutary effect,—a bloodless victory was every where obtained, many of the ringleaders were taken, and the insurrection having been completely crushed, the troops were dismissed to their homes.

The French War. The difficulties, which had arisen in Europe, out of the French revolution, soon extended themselves to this country. Genet, the representative of the directory, defied the president, and appealed to the people; but he was recalled, and another less violent, Fauchet, sent in his stead. A large portion of the nation, grateful for the past assistance of France, seemed disposed to overlook the outrages of that people against American commerce, and only to entertain hostility towards England. These questions entered deeply into party politics. The democrats sided with France, the federalists were desirous of punishing her infringements of the national rights: and, the latter being more powerful, active measures were resolved upon against the directory. Congress ordered an increase of the army, the command of which was bestowed by President Adams on Gen. Washington, who once more left his retirement, at Mount Vernon, to draw his sword in his country's cause. The choice of the general officers was left to his discretion: and he selected Col. John Eager Howard, as one of his brigadier generals. But the cloud passed with but a few distant rumblings; two or three French ships of war were captured; and the directory at length consented to receive an American minister, and the subjects of disputes were arranged.

In the mean while, a contest had arisen, in Maryland for the enlargement of the right of <sup>The right of</sup> suffrage. <sup>Suffrage en-</sup> The restriction of a property qualification, was justly obnoxious to a large class of honest and industrious men, whom it deprived of the franchises secured to wealth. It is not to be supposed that a people, as democratic as the people of Maryland, would long permit such a principle to remain engrafted upon their constitution. Even before the close of the revolution, in the contests which arose between the house and the senate, the former body displayed the popular tendency towards more enlarged views; whilst the latter body, from its composition and mode of selection, was strongly conservative. In the high party times which followed the administration of Washington, the question was agitated with great bitterness, increasing the asperity of the political contests. It became the leading topic in State politics, and elections turned upon it. At length the popular party were successful; but it was after a long struggle. The house of delegates, in 1800, having passed a bill to extend the right of suffrage to every free white male citizen, twenty-one years of age, who had resided twelve months in the State and six in the county, prior to the election, the senate proposed an amendment, requiring that the voter should also have been assessed and paid a tax twelve months before the election, and insisted upon two years residence in the State. These amendments the house contended, would make the bill, an empty gift—for it would be not only to retain but to enlarge the property qualification, and would deprive of the right of suffrage many, who already possessed it—whose property was greater in value than that required for a voter, but still under the limit of that upon which taxation was imposed. Neither body would recede from its position; and the bill fell to the ground.

The controversy, however, was only renewed with greater energy by the advocates of popular rights. At the ensuing session of 1801, the bill was again introduced into the house, and passed by a vote of forty-eight to fourteen. At the same time, to warn the senate of the danger of further opposition, the committee who reported the bill, suggested that the legislative part of the constitution was defective, and required amendment. That the senate were elected so indirectly, and for so long a period—five years—with the anomalous power of filling vacancies in their own body, that they were no longer responsible to the people; that the council, also, required modification; and as the alteration of the constitution in the manner prescribed by that instrument, would make it a constitution only to be found in acts of assembly, advised that a bill recommending a convention to assemble in 1803, should be passed to take effect if confirmed by the succeeding legislature. The committee seemed to have considered that course necessary, differing with the legislature of 1786, who called a convention by a simple resolution, although the act of that convention, not only in effect, repealed at least one clause in the constitution, but took away from the State a portion of its sovereignty and nationality. The threat of the house was effective. On the 21st of December, the suffrage bill was sent to the senate: on the 28th, it was passed, with a single verbal amendment. Early in the session of 1802, the confirmatory act was passed by the house, by a large majority, and immediately after unanimously assented to in the senate. Thus was Maryland thrown far in advance of most of the sister States, for only one other,—Vermont—had already so far extended the right of suffrage.\*

But not only was this odious restriction removed for ever, but another scarcely less oppressive upon the freedom of elections, the *viâ voce* vote, for which the ballot and the ballot

\* Votes and Proceedings of House and Senate.

box were substituted. The property qualification, was still thrown round the offices of the State; but, the first step taken, the second could not be long resisted. In June 1809, all such clauses of the constitution, as required a property qualification in persons holding offices of profit or trust, were repealed; and the act was confirmed in the November session of the same year.

Whilst this amelioration of the organic law of the State was thus progressing to a conclusion, <sup>New Judicial System.</sup> the old judicial system was abolished and the present one adopted. The State was divided into six judicial districts, for each of which, three persons of integrity and sound legal knowledge, residents of their respective districts and citizens of the State, were to be appointed judges—one to be chief, the other two associate, justices for the county courts throughout the districts. The court of appeals was composed of the chief justices of the six judicial districts, and was to hold its sessions both on the Eastern and Western Shores. To secure impartiality in its decisions, it was provided that the judge, who had given an opinion in the case below, should withdraw from the bench at its trial in the court of appeals, so that the number of the acting justices of the tribunal was generally reduced to five.

The national relations with foreign States, <sup>Difficulties with England.</sup> began every day to grow more gloomy. The aggressions of the bashaw of Tripoli had been promptly resented.\* The more trying oppressions of England were borne with, for a little while longer, in the vain hope of obtaining justice by remonstrance.

Napoleon had brought the continent of Europe at his feet, and only England defied his power. Her fleets swept

\* Lt. George Washington Mann, a Marylander, and one of the two who first planted the American standard on the walls of Derne under Gen. Eaton, was presented by the legislature with a handsome sword and belt as a testimonial of his bravery; also Charles Gordon, John Trippe and John Davis, were noticed for their gallantry.

the ocean, seizing the property and impressing the citizens of the United States, in spite of their privileges as neutrals. But the immense benefits derived from the neutrality, by the increased carrying trade, and the demand for American productions, made many persons desirous of perpetuating this state of affairs, at every sacrifice, even that of honor and patriotism. No city, in the Union, felt the impulse of prosperity from this increase of commerce more than Baltimore. She advanced rapidly in wealth and population.

England jealous of the growing naval power of the States, at length determined that American vessels, bearing French products, were lawful prize; and laid most of the ports of France under embargo. France retaliated by the famous Berlin Decree of November, 1806, declaring the British islands in a state of blockade, and all neutral vessels, trading thither, liable to capture. The system of British impressments was even attempted upon national vessels; and the United States ship *Chesapeake* was fired into, upon the refusal of her commander to submit to a search. The public indignation was thoroughly aroused: and Maryland was not behind the other States, in the expression of its resolution to maintain the honor of the country. Public meetings were every where held, for this purpose, and the legislature voted an address to President Jefferson, declaring that they were ready to submit to all the hardships and dangers of war, rather than permit so gross an outrage to the honor of the nation to pass unpunished.

*The Embargo.* On the 2d of July an embargo was declared, closing the ports of the United States against British vessels, and congress ordered one hundred thousand militia to hold themselves in readiness for service. The English government disavowed the outrage: but the embargo was continued. The maritime communities were greatly distressed, and clamored for its repeal: and the house of delegates, in 1808, passed a resolution instructing the Maryland

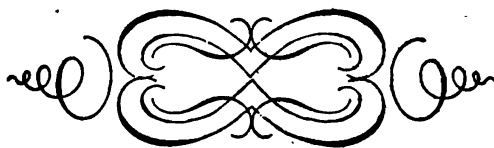
representatives in congress to vote for its suspension. The senate, however, rejected the resolution, contending that the measure was wise, just and necessary; and their decision was sustained by both branches of the next legislature. Deeming war inevitable, the same assembly endeavored to foster home manufactures, to replace the supplies, which would thus be cut off from Europe, and urged the people of the State to clothe themselves in domestic fabrics. They further directed their representatives in congress, strenuously to support the administration of Madison, in every retaliatory measure. The people earnestly seconded the designs of the legislature; associations were every where formed for the encouragement of domestic manufactures, and in Baltimore a company was incorporated under the name of "the Athenian Society," with a considerable capital, to establish a warehouse for the reception and sale of such articles. To aid in the advancement of this design, the society offered annual premiums for the best domestic productions; and the members of the legislature and the people at large, made it their pride to appear clothed in the fabrics of the State.\*

But new delays only brought forth new insults and outrages from the imperious government of England, until the whole country became clamorous for war. It was at length declared on the 18th of June, 1812. Although the prevailing sentiment of the people was in its favor, a few violently opposed the propriety and expediency of the measure. The publishers of a newspaper, called the Federal Republican, had bitterly assailed the administration, and, having removed from Georgetown to Baltimore, issued their paper in that city, filled with violent articles in opposition to the war. The indignation of the people was aroused;—they gathered around the office of publication, for the purpose of destroying it, while the friends of the editors prepared

\* Annals of Baltimore; Votes and Proceedings.

for its defence against the illegal violence of the mob. After a spirited resistance, in which one person was killed and several wounded, they surrendered to the authorities, and were conducted to the jail for their protection. In the ensuing night, the jail was broken open by the excited mob, who practised the greatest barbarity on the persons of their victims. One was killed; the rest were cruelly beaten, and only escaped by passing for dead. They now threatened the post office, in which several of the obnoxious papers were said to be deposited, but the civil and military authorities at length obtained the mastery, and the disturbance was quelled.\*

\* Perkin's Late War; Annals, &c.



## CHAPTER XVII.

### THE WAR OF 1812.

FOR a time, the war was principally waged upon the ocean and the northern frontier, and Maryland only bore part in its deeds through its fearless privateers, and its soldiers and its sailors, distributed throughout the national army and navy, and no longer distinguished in a separate corps, as under the old confederacy. But the horrors of invasion were soon brought into its borders. The Chesapeake presented too favorable an opening for the British fleet, to escape their depredations; and in March, 1813, Admiral Cockburn made his appearance in its waters, with four ships of the line and six frigates. He immediately began a series of disgraceful outrages against the property and persons of the unarmed citizens. Even the women and children did not escape the cruelty of these monsters. French town, Havre de Grace, Frederick town (on the Eastern Shore), and Georgetown, were plundered and burned.

In the assault upon Havre de Grace, a gallant defence was made by an Irishman, named O'Neale, who manned a battery himself, and kept up a hot fire upon the approaching force of the enemy in nineteen barges, until he was disabled by a wound in the leg, received from the recoil of the cannon he was firing. He then continued the fight with two muskets, which he loaded and fired until he was captured by the enemy. They threatened to hang him as a British subject, found in arms; but the determination of the Americans to execute two British soldiers in reprisal, induced them to spare his life, and the "true and brave



adopted citizen" was received as a prisoner of war. Wherever a body of militia was collected, the chivalrous Cockburn held aloof. He threatened Annapolis, but it was prepared for defence; and after sounding the harbor, he retired. He approached Baltimore, but five thousand citizens were in arms, resolved and eager to give him that reception which his barbarian outrages deserved; and he shrunk from the encounter.\* He preferred a more safe and profitable, though a more inglorious warfare; and private residences and the smaller bay craft, as well as other shipping, were plundered and consumed. So extensive was the destruction, that at night the shores and waters of the bay were lit up with the continuous conflagration.

Battle of  
Bladensburg.

But no attempt to invade the interior was made until the year following, when the British fleet, having been largely reinforced, a body of men five thousand strong, under Gen. Ross, was landed at Benedict, on the Patuxent, and commenced its march towards Washington. Immediately the militia of the State and District of Columbia assembled, to the number of about three thousand men under Gen. Winder, to oppose their progress. But this small and undisciplined force was compelled to retire before them until they reached the village of Bladensburg on the 24th of August. Here they were reinforced by a body of twenty-one hundred men, under Gen. Stansbury, including the gallant fifth regiment, the elite of Baltimore, under Col. Sterrett, several rifle companies commanded by Major Pinckney; and two companies of artillery under Myers and Magruder; and by the sailors and marines, under Commodore Barney, who had been compelled to destroy his flotilla of gun boats to prevent its falling into the hands of the enemy. It was now determined to make a stand and risk a battle, in defence of the capitol. Gen. Stansbury was stationed on the left of the

\* Niles' Register.

road, leading to Washington, with his artillery in a breast work near the bridge over the Western Branch, with the Baltimore volunteers in advance. Col. Beall, with eight hundred militia, was placed on the right of the road, while Winder, in person, commanded the main body a short distance in the rear. The heavy artillery, under Commodore Barney, was posted on an eminence commanding the road. The president of the United States reviewed the army, but withdrew to the city before the commencement of the action.

As soon as the enemy appeared in sight they formed and moved towards the bridge, but they were received with a destructive fire from the batteries and the Baltimore rifles, and driven back in disorder. They immediately re-formed under cover of a tobacco-house and again advanced. The head of their columns was again thrown into confusion; but they at length forced their way across the bridge, and having overpowered the rifles and the fifth, after a brave resistance, drove back Gen. Stansbury's force, capturing one of their pieces of artillery. Col. Beall's militia retreated with great precipitation, and another detachment of Annapolis militia were also thrown back in disorder on the main body. The enemy now advanced briskly along the road, certain of an easy victory, when Barney's battery opened upon them in front, and Col. Millar, with the marines, poured in a heavy fire upon their flank. The first discharge of Barney's pieces swept across their columns, with terrible effect, opening a wide avenue through the human barrier. Obliquing to the left, in hopes of escaping the range of the cannon, the British grenadiers fell upon Millar's marines. They were met with the greatest firmness, while the sailors of the gallant commodore still poured a destructive fire upon their closing ranks. They could endure it no longer; and the advance of the enemy was driven back upon the main body in disorder. The moment was critical, but

from the want of a sustaining force, the Americans were unable to follow up their advantage; and Ross, having rallied his men, extended his front, so as to attack, at the same moment, the marines in front and on both flanks, and bring a heavy column up against the battery. Thus assailed, the marines could not hold their ground, and Col. Millar being wounded, Capt. Sevier ordered them to retire. Barney, no longer sustained by a column of infantry, was unable to maintain his position, though, his gallant sailors continued to work their guns, as coolly as on ship-board, until they were surrounded, and some of their number bayoneted at their posts. Then, only, they retired, leaving their gallant commodore covered with honorable wounds, a prisoner in the hands of the enemy.

Thus far, at least, defeat had not brought disgrace. Even while Barney and Millar seemed to be on the point of driving back the foe, the main body of the militia and a body of regular cavalry and infantry never brought into action had been ordered to fall back without having yet fired a gun. A retreat, however unwillingly commenced, with undisciplined militia, soon becomes a route; and the men who had chafed at the folly of their leaders, in withdrawing them almost in the moment of victory and when anxious for the conflict, now that their backs were turned upon the foe, were seized with a sudden panic, broke their ranks and many of them dispersed to their homes. Washington, the metropolis of the Union, was the prize of the victors; and like the Vandal and the Goth, they gave to the flames the capitol itself, the president's house, the treasury, war, and navy offices, the national records, and the library together with other public and private property—a transaction unequalled in modern times for its disgraceful barbarity. Having thus completed their glory and shame, they returned to their shipping at Benedict, having lost in the expedition four hundred men, killed

and wounded, and five hundred prisoners. The loss of the Americans, in the battle of Bladensburg, was about thirty killed, fifty wounded and one hundred and twenty taken prisoners.

The disgraceful termination of the fight, at Bladensburg, may be in part accounted for by the unprepared state of the force, collected to defend Washington. Many of the troops arrived on the ground, just in time to fall into the line, and, under such circumstances, it could scarcely be expected that militia would make a stand. Their conduct seems to have been effected by the perturbation of those to whom the defence of the city was entrusted, whose imbecility had in face of sufficient warning, permitted the enemy to find the capital of the Union, so unprepared for defence—who seemed only to foresee defeat, and whose greatest anxiety throughout was to keep out of harm's way—a disposition, shared by many even of the military chieftains. The Baltimore division, a few of the militia, Barney's men and the marines, behaved with a distinguished gallantry, which somewhat redeemed the disgrace of the day.

Whilst the main body of the enemy was thus employed, one detachment plundered Alexandria. Another, under Sir Peter Parker, made an inroad upon the Eastern Shore, but with very different success. Two hundred militia had gathered at Belle Air, under Col. Reed, an officer of the revolution, and Sir Peter determined to surprise them. The British advance, however, found them fully on their guard, and were received with a heavy fire. Pressing towards the right, they attempted to gain the flank of the militia, but were again repulsed. Having exhausted his ammunition, Col. Reed fell back to obtain a fresh supply: but the enemy, crippled by their severe reception and having lost their leader, Sir Peter Parker, who was mortally wounded and died a few minutes after the action, abandoned their expedition and retreated to their boats, leaving

fourteen killed and twenty-seven wounded. The American loss was very small, only three men being wounded.

Battle of  
North Point. Having thus triumphantly despoiled the capital of the Union, Gen. Ross turned his eyes upon the flourishing and wealthy city of Baltimore. Anticipating his design, the governor had ordered the militia of the State to hold themselves in readiness, and large bodies were marched to the city for its defence. About seven hundred regulars, several volunteer and militia companies, from Pennsylvania and Virginia, increased their strength to about fifteen thousand men. They were commanded by Gen. Samuel Smith, who had distinguished himself in the revolution by his gallant defence of Fort Mifflin. One division of the army was confided to Gen. Winder, the other to Gen. Stricker. As soon as it was announced, that the British were approaching the city, the militia irritated by the disaster at Bladensburg and the sacking of Washington, flocked in from all quarters, in such numbers, that neither arms, ammunition, nor provisions, could be supplied them, and the services of many were necessarily declined. As it was expected that the enemy would land and attack the town from the east, heavy batteries were erected on the high grounds in that direction, and an entrenchment thrown up in which the main body of the militia were posted. On the water side, the city was defended by Fort McHenry, garrisoned by a thousand men under Major Armistead; two small batteries were erected on the south side; while the channel was obstructed by a number of sunken vessels.

On the 11th of September, 1814, the British fleet, numbering fifty sail, entered the mouth of the Patapsco; and on the twelfth, a force of five thousand men was landed at North Point, fourteen miles from Baltimore. General Stricker was ordered forward with three thousand two hundred men, to oppose their progress. His force was composed of the fifth regiment, under Col. Sterrett; the sixth,

Col. McDonald; the twenty-seventh, Lieut. Col. Long; the thirty-ninth, Col. Fowler; the fifty-first, Col. Amey; one hundred and fifty riflemen, under Capt. Dyer; one hundred and forty cavalry, under Lieut. Col. Biays, and the Union artillery with six field pieces. In the regiments of this brigade, were incorporated Spangler's York, Metzgar's Hanover, Dixon's Marietta, and Quantril's Hagerstown uniformed volunteers. He took a position about eight miles from the city, his right resting on Bear Creek and his left covered by a marsh: the fifth and twenty-seventh regiments formed the first line: the fifty-first, was posted three hundred yards in rear of the fifth, and the thirty-ninth in rear of the twenty-seventh: the sixth was held in reserve. The artillery, six four-pounders, was planted in the centre on the main road, and a corps of riflemen pushed in advance as skirmishers. The rifles soon fell in with the van of the enemy, and a sharp skirmish ensued, in which the British commander in chief, Gen. Ross, was killed. Col. Brooke, the second in command, still continued to advance, and, at half past three, the action commenced with the main body by a heavy cannonade. Gen. Stricker ordered his artillery to cease, until the enemy should get within close cannister range; and brought up the thirty-ninth on the left of the twenty-seventh, while the fifty-first was ordered to form at right angles with the line, resting its right near the left of the thirty-ninth. The fifty-first, in attempting to execute this order fell into confusion which however was soon remedied. The enemy now advanced upon the twenty-seventh and thirty-ninth; and the action became general. The fifty-first having imperfectly recovered from its confusion, failed to keep its ground; and, having delivered a scattering fire, broke in disorder. Its retreat threw the second battalion of the thirty-ninth into some confusion: but the whole line, undismayed by the desertion of the fifty-first, maintained its ground with the greatest

firmness, pouring in a destructive fire upon the advancing columns of the enemy. The artillery reopened with terrible effect upon their left, which was opposed to the fifth, whilst that gallant regiment proudly sustained the laurels it had won at Bladensburg. This close and hot fire was kept up, without intermission, for nearly an hour, in the face of a foe more than treble their numbers; for the American line, reduced by the desertion of the fifty-first, and unaided by the sixth in reserve, numbered only fourteen hundred men. Their volleys were deadly, for they fired not only by order, but each man at his mark, and the front ranks of the enemy were frequently observed throwing themselves upon the ground to avoid its unerring destruction.

Finding that his force, uncovered on its left flank, was no longer able to make head against the superior strength of the enemy, and having accomplished the main object of his detachment by the severe check he had given them Gen. Stricker ordered his line to retire to the position of the sixth, his reserve regiment. This was accomplished in good order; but the fatigued condition of the troops, who had been in action, and the exposed position which he occupied, determined the general to fall back still nearer to the city. The enemy crippled by the severe contest did not attempt pursuit; and the brigade, feeling that it had gathered the benefits of a victory, assumed its position near the lines, panting for another struggle with the invader. Although the American loss was heavy, it bore no comparison to that of the enemy. Adjutant James Lowry Donaldson, a member of the legislature, fell in the hottest of the conflict. Lieut. Andre was killed—Capt. Quantril of Hagerstown, Capt. Stewart, Major Moore, Lieut. Reese, Joseph R. Brookes and Ensign Kirby, were wounded. Major Heath was wounded and had two horses killed under him. The American loss was twenty-four killed, one hundred and thirty-nine wounded, and fifty prisoners—a total

of two hundred and thirteen. The loss of the enemy was nearly twice as great, and among their killed was their leader Gen. Ross, who, in conjunction with the notorious Cockburn, was the destroyer of the capital, and who had boasted that he would take up his winter quarters in Baltimore.

On the morning of the 13th of September, the British made their appearance within two miles of the entrenchments, on the Philadelphia road, as if endeavoring to gain the flank of the American position; but, baffled by the skilful manœuvres of Gen. Smith, after throwing forward a reconnoissance and threatening the lines in front, they retired towards their former position, deterred from the attempt by the strength of the works.

Having thus failed to take the city by land, the enemy hoped that an attack by water would be more successful, and on the evening of the 13th, the fleet began to bombard the fort, its main defence. Bombardment of Fort M'Henry.

The garrison was composed of three companies of United States' artillery, and three volunteer city companies, under Capt. Berry, Lieut. Pennington, and Capt. Nicholson, besides six hundred infantry; in all about one thousand men under Col. Armistead. For a time the brave garrison, were compelled to receive the fire of the fleet in silence, anchored as it was two miles from the fort and beyond the reach of its guns. At length, however, some confusion being created in the south-west bastion by the bursting of a bomb, several vessels were brought within range to follow up the supposed advantage: but the batteries immediately opened upon them with such effect, that they were driven back to their former position. At this safe distance, they poured a continuous storm of shells upon the gallant defenders of the fort, who held their posts in stern silence, ready to repulse any nearer approach. During the night, several rocket vessels and barges, with fourteen hundred



men, supplied with scaling ladders, passed silently by the fort, and entered the Patapsco. Little dreaming of the resistance of the six and ten gun batteries, the foe already revelled, in anticipation, in the plunder of the captured city, when suddenly, as they drew opposite the six gun battery, Lieut. Webster, its commander, opened upon them with terrible effect. The fort and the ten gun battery, also poured in their fire, and for two hours a furious cannonade was kept up, while the heavens were lighted up with the fiery courses of the bombs from the fleet and barges. The havoc was dreadful. One of the barges was sunk, and the cries of the wounded and drowning, could be plainly heard upon the shore. The rest, in the utmost confusion, and having suffered a heavy loss, retreated precipitately to the fleet.

During that fearful night, Francis S. Key, a distinguished son of Maryland, was a prisoner in the British fleet. Having gone on board under the protection of a flag of truce, to effect the release of some captive friends, he was himself detained during the expedition. Of vivid and poetic temperament, he felt deeply the danger which their preparations foreboded, and the long and terrible hours which passed in sight of that conflict whose issue he could not know. It was under these circumstances that he composed "THE STAR SPANGLED BANNER," descriptive of the scenes of that doubtful night, and of his own excited feelings. As the struggle ceases, upon the coming morn, uncertain of its result, his eye seeks for the flag of his country, and he asks in doubt :—

" Oh ! say can you see by the dawn's early light,  
What so proudly we hailed at the twilight's last gleaming,  
Whose broad stripes and bright stars through the perilous fight  
O'er the rampart we watched, were so gallantly streaming ?  
The rockets red glare—bombs bursting in air—  
Gave proof thro' the night, that our flag was still there.  
Oh, say does that star spangled banner still wave  
O'er the land of the free, and the home of the brave ?"

And then, as through "the mists of the deep," dimly loomed that gorgeous banner fluttering in the first rays of the morning sun, he exclaims triumphantly—

"'Tis the Star Spangled Banner! oh long may it wave  
O'er the land of the free, and the home of the brave."

This outburst of the patriot and poet's heart, thrilled through the souls of his brethren; they took it up:—it swelled from millions of voices: and the "STAR SPANGLED BANNER," written by a son of Maryland, within sight of the battle fields won by the citizen soldiers of Maryland—with the sound of their victorious cannon still ringing in his ears—became the proud national anthem of the whole Union.

Thus baffled by land and water, Admiral Cockburn and Col. Brooke determined to abandon the expedition; the troops were embarked on the 15th, and, on the 16th, the hostile fleet dropped down the Chesapeake, leaving the liberated city filled with joy at her triumphant preservation, mingled with sorrow for the gallant sons who had died to defend her.

The chivalric Cockburn continued his exploits on the bay shore, burning and destroying the property of the defenceless citizens for some time longer, and threatening the towns on the coast; but he at length withdrew. The gallant defence of Baltimore saved the other Atlantic cities from attack,—its successful termination raised the spirits of the people, and renewed their confidence in themselves, proving that, when led by brave and skilful officers, they need not dread to encounter any equal force of their veteran enemy.

## CHAPTER XVIII.

FROM THE PEACE OF 1815, TO THE YEAR 1848.

**E**ARLY in the ensuing year, the war was closed by an honorable peace, signed at Ghent on the 24th of December, 1814, and ratified by the United States, on 17th of February, 1815; and Maryland once more turned all its energies to the great work of fostering its own growth, and increasing its strength and resources. It is not surprising, when the situation of Baltimore, her commercial advantages and the enterprise of her citizens, are considered, that the most rapid and considerable increase in the population and wealth of the State, took place within her limits: and, at no period did she stride forward so rapidly as during those great European wars, when commerce was thrown principally in the hands of Americans. Thus, in 1790, her population was only thirteen thousand—in ten years it had doubled itself, and in ten years more almost quadrupled itself. Never perhaps was there unexampled a growth, continued for so long a term. If from that latter period, 1810, her prosperity, was checked for a time by the political difficulties of the nation and the war which ensued; upon the return of peace, she again rose up with renewed life like the great heart of Maryland, throbbing and swelling with the vigorous tide of prosperity, which she was sending forth and receiving back by a thousand arteries. The pulsations of her daily life were felt to the remotest quarters of the State: when wealth poured into her lap, its golden streams penetrated into every portion of the interior, and when difficulty or distress came upon her, the vibrations of the shock reached even to the westernmost limits of Maryland. She became and

continued the index of State prosperity, and its centre; and as well might the counties hope to flourish, when she is hemmed in and pressed down, as the members of the body live when the heart has ceased to beat. Fully awake to this truth, the people of the State joined with the city, in her efforts to open every avenue to the interior, and to make Baltimore the great outlet and seaport of the mighty west; a result destined to be accomplished in time to come in spite of every difficulty and against every opposition.

But the rapid growth of Baltimore and the in- *Reform.* creasing strength and population of the western counties, whose inhabitants had frequently declared their opposition to certain features of the constitution, at length brought the question of its reform into greater prominence, and made it the engrossing topic of discussion and the great object of political movement. By the system of that day, the senate, the governor and council, and the majority of the legislature itself, could be elected by a minority of the people. As the legislature was composed of four members from each county, and two from the cities of Baltimore and Annapolis, the smaller and less populous counties had as much influence in that body, as the larger; so that ten counties, with perhaps little over one-third of the population of the State, could cast a majority of votes. The same held good in regard to the senate, which was chosen by a body of electors of two from each county: and as the governor and council were selected by the two houses by joint ballot, the influence of the ten smaller counties if brought to bear could overpower that of the larger. It was thus a confederation of counties, each with the same voice, in the assembly, without regard to population or wealth. This disparity had existed from the very adoption of the constitution, but had increased with the rapid growth of Baltimore and the west, and the diminution of the smaller counties. The mode of electing the senate was particularly objected to

by those who desired a change. As early as 1807, a strong effort was made to effect an alteration in the system, by making that body consist of one member from each county to be elected by the people; and in the bill which passed the house for that purpose, an attempt was made to engraft a provision, regulating the number of delegates for each county in proportion to its population. The measure however was opposed by the senate, and the house ordered the rejected bill to be published in the votes and proceedings for the information of the people.\* A similar bill met with a like fate, in the ensuing year, and the struggle seems to have been absorbed by the more exciting questions, which occupied the public mind, prior to the breaking out of hostilities with England.

No sooner was peace declared, however, than the old disputes began to awaken. Complaints arose from all quarters against the inequality of the system, under which the State was governed. The dissatisfaction extended to other features besides the organization of the house and senate. The mode of electing the governor, the tenure of many offices, particularly those of the county clerks and registers of wills,—profitable offices held during good behaviour, in effect for life—became the subject of violent opposition. For years, however, every effort failed: both of the political parties in the reform counties, had in vain united together to secure their object; the discordant elements of the ill assorted alliance soon broke asunder. At length, hopeless of obtaining any practical result, when thus disunited, it was proposed that a convention of reformers without distinction of party should be held in Baltimore, to agree upon such measures as would ensure success: and, on the 6th of June, 1836, delegates, from Cecil, Harford, Baltimore, Frederick, Montgomery and Washington counties, and Baltimore city, assembled, and adopted resolutions advising

\* Votes and Proceedings, 1807-8.

the people to elect delegates at the ensuing election, pledged to introduce into the legislature a bill to take the sense of the people, upon the amendment of the constitution; and providing for the calling of a convention, for that purpose, in case a majority of the popular vote demanded it. They further proposed that the time for electing the delegates to this convention should be fixed by the bill, on the first Monday in June, 1837, and that they should assemble on the 4th of July, and prepare a constitution to be submitted to the people, for their approbation at the October election following: and they empowered their president to re-assemble their body, if the legislature failed to act upon the subject within forty days, "to take such ulterior measures, as might be then deemed expedient, just, proper, and best calculated, *without the aid of the legislature*, to ensure the accomplishment of the desired results."\* The preceding assembly had passed laws which tended to enlarge the representation of the more populous districts, and which only needed the confirmation of the succeeding legislature, to become effectual. Two additional delegates were by these measures given to Baltimore city; and the new county of Carroll was erected out of portions of Frederick and Baltimore, thus securing four more representatives to the people formerly embraced in those two counties. But this item of incidental reform, only made the reformers more urgent in their demands; and the people seemed disposed to sustain fully the recommendations of the convention.

But these movements suddenly took a most unexpected turn. The presidential election was approaching; the spirit of party was at its height, and it was scarcely possible that united action in favor of reform could long be looked for. The term of the old senate of Maryland was about to expire; and the time had arrived to elect a college of senatorial electors, to form a new one. The spirit of party entered

\* Brief Outline, &c. of the Nineteen Van Buren Electors.

violently into the contest, and upon its close it was ascertained that, although a majority of reformers had been elected, thus securing a reform senate, twenty-one whig and nineteen Van Buren senatorial electors had been chosen.\* On the third Monday of September, according to the requirements of the constitution, the electors, gathered at Annapolis. Only twenty-one, however, qualified by taking their official oath, and as the constitution required the presence of at least twenty-four members to complete the organization of the college, nothing could be done. The nineteen Van Buren electors having met together in caucus, determined, in accordance with instructions from several primary meetings to secure a majority of the senate "of a similar complexion with the people electing them and entertaining the same opinions and sentiments," that as they represented counties which contained a large majority of voters, it was right that they, although a minority in the electoral college, should have the nomination of eight members, being a majority of the senate. Accordingly, they addressed a note to Mr. Heard of St. Mary's, one of the twenty-one electors then sitting in the senate awaiting their presence to proceed to business, requesting a pledge from the majority that they would select eight gentlemen, whom they should name. They declared that otherwise they would refuse to qualify, and no senate could be chosen; the consequence of which, they contended, would be a disorganization of the government, so far as to render it necessary for a convention at once to assemble to remodel the constitution. Mr. Heard promptly declined to receive the letter, or to present it to his associates; and the whole body having refused to hold any communication with the nineteen, until they should have qualified according to the requirements of the constitution, those gentlemen promulgated an address to the public, announcing their

\* Brief Outline, &c. of the Nineteen Van Buren Electors.

determination not to take part in the election of a senate; setting forth the reasons for their course; and calling on the people of Maryland, at once to elect six delegates, from each city and county, to meet at Annapolis, in convention, and form a new constitution to supplant the existing one which must soon expire from their act. A counteraddress was immediately issued by the twenty-one.

This sudden and violent movement filled the State with excitement and alarm. It was pronounced by men of both parties, as the commencement of a revolution—bloodless as yet, but which, if persisted in, must eventually lead to anarchy and civil commotion. It was every where felt that a crisis was at hand. State credit and public business, reeled under the shock: the minds of the timid were filled with forebodings, while those of firmer mood, on either side of the exciting question, braced themselves for the struggle.

Public meetings were convened in many places. At Baltimore more than five thousand citizens assembled in town meeting, and gave expression, in indignant language, to their disapprobation of the course pursued by the nineteen recusant electors, as disorganizing and revolutionary, while they avowed their attachment to peaceful and constitutional reform. Having nominated candidates for the house of delegates, they called on all good and true citizens to come forward, at the ensuing election, and by their votes prove their love of law and order. Similar proceedings were taken in Frederick, Washington, and Alleghany counties; and men of both parties pledged themselves to sustain the supremacy of the law. The grand jury of Alleghany county presented the nineteen recusant electors, "as unfaithful public agents and disturbers of the public peace."

In the meanwhile, the supporters of the recusant electors, took measures to carry out the scheme proposed for assem-



bling a convention : meetings were called in several places to nominate candidates ; and a circular was addressed, to the people of the counties, by a central committee in Baltimore, urging the execution of the project. In fact, many delegates were elected by votes printed on blue tickets, cast at separate polls, opened for the purpose on the day of the November election : a proceeding in which the opponents of the movement took no part.

The twenty-one electors continued at Annapolis, adjourning from day to day, patiently awaiting until a sufficient number should qualify, to enable them to proceed to business. They were at length joined by one of the nineteen, who qualified and took his seat. On the 7th of November, the presidential election took place : on the 8th, Gov. Veazy issued his proclamation, denouncing the proceedings of the remaining eighteen and their supporters ; calling on the people, civil and military, to hold themselves in readiness to support the law ; convening the old senate and house of delegates to meet on the 21st of November ; and solemnly proclaiming "that the constitution of the State must be preserved and the government maintained, as they then were, until altered, changed or abolished in the manner constitutionally provided for." This proclamation was cordially responded to in every part of the State. The people of Prince George's, organized and equipped a company of dragoons, under Major John Contee, and offered their services to the governor to sustain the power of the law. But their aid was never required.

On the 12th, another of the original nineteen entered the college, and was followed in a few days by five more—a senate was elected and the storm had passed.

The senate which was elected, was a reform senate ;—the lower house had been in favor of reform for several years, and no difficulty was now thrown in the way of the desired amendments. As a new senate had thus been

chosen the old one did not meet at Annapolis. The deputies to the reform convention, however, still asserting the power to remodel the constitution, in the mode proposed by them, instead of proceeding to Annapolis, as originally intended, convened at Baltimore on the 16th of November, and passed a series of resolutions, declaring it inexpedient for them to proceed to the performance of their duties at that time, as a general assembly was about to meet, and it was proper to ascertain what course would be pursued by that body; and, after expressing their belief that at no distant day a convention more full than their own, but similarly organized, would be necessary, they set forth the reforms which they desired, and adjourned to meet at Annapolis on the first Monday of January, 1837, unless otherwise notified by their president. They never met again. Their propositions were—"the election of the governor by the people, and the abolition of the council. The election of one senator from each county and the city of Baltimore directly by the people. The re-apportionment of the house of delegates, so as to do justice to the populous districts, and at the same time give to the small counties and the city of Annapolis ample power to protect their interest. The abolition of all offices for life, the appointment of judges for a limited time, by the joint action of the governor and senate. The election of the clerks and registers by the people. Limitation and restraint on the power of the legislature, in the future grant of charters, and the whole constitution to be so arranged and digested as to be free from uncertainty and obscurity."\*

When the legislature assembled they immediately entered upon the work of reform. Reform of the Governor and Senate. The result of their deliberations was the adoption of most of the amendments contemplated by the reform movement. The governor was made eligible by the people: his

\* Brief Outline, &c. of the Nineteen Van Buren Electors.

term of office was fixed at three years, and the State was divided into three gubernatorial districts, from each of which in turn he was required to be taken. The Eastern Shore counties composed the first district. Frederick, Carroll, Harford, Baltimore, Washington, and Alleghany counties the second district, and the remaining counties with the city of Baltimore the third district. The council was abolished and a secretary of State provided to supply the place of the clerk of the council. The Senate was entirely reorganized, on the plan proposed in 1807: one member was assigned to each county and to the city of Baltimore, to be elected immediately by the people. The first election was to be held at the October elections of 1838, and in order that there might be a periodical change in that body, the senators first elected were to be divided into classes, by lot, who were to serve two, four, or six years. Upon the expiration of the different classes, their places were to be supplied by new elections, in their respective counties; and the term of their successors was fixed at six years. So that, always thereafter, at each period of two years, one-third of the whole body would be elected by the people, thus securing permanency in policy and a frequent accountability to their constituents. The qualification of a senator, was the same as that of a delegate, except that he should have arrived at the age of twenty-five years, and been a resident for three years of the county, or city, for which he was elected.

**House of Delegates.** The constitution of the house of delegates, was materially altered. Five members were assigned to Baltimore city, Frederick and Baltimore counties, each; four for Anne Arundel, Dorchester, Somerset, Worcester, Prince George's, Harford, Montgomery, Carroll, and Washington, each; three for each of the remaining counties, and one for Annapolis city. This arrangement was only to endure until after the official promulgation of the next

census of 1840; when, and also at every second census thereafter, the number of delegates was to be apportioned on the following basis: every county with a population less than fifteen thousand, in federal numbers, should elect three delegates; every county with a population of fifteen thousand, and less than twenty-five thousand, four delegates; every county, with a population of twenty-five thousand, and less than thirty-five thousand, five delegates; every county, having a population over thirty-five thousand souls, six delegates; and Baltimore city, as many delegates as the most populous county. After the year 1840, the city of Annapolis was no longer to have a separate representation, in the house, but to be considered as part of Anne Arundel.

The term of service of the county clerks and registers of wills, was reduced to seven years, Clerks and  
Registers. and their appointment conferred upon the governor, by and with the advice and consent of the senate. These alterations were all confirmed at the ensuing session of the legislature and became portions of the constitution.

The movement of the nineteen recusant electors, although repugnant to the constitution and the first step to a revolution, found numerous supporters, but a large majority of the people of the State arrayed themselves in opposition to it, around the standard of the government. It brought to a crisis the struggle, which had sprung into existence almost at the very birth of the constitution, and precipitated the adjustment of disputes which had lingered for more than half a century. The unparalleled boldness of the measure they adopted, which, under cover of a provision of the constitution, set the constitution itself at defiance, and struck at the existence of the government, of itself rendered necessary some precautionary change, in order that, at no future day, a body of men like themselves should be able again to arrest its machinery. It proved

the danger of vesting too great powers in the hands of a few. Their motives were assailed by some of their opponents as corrupt, and their measures, as intended to secure the ascendancy of their party in the State, whilst their supporters proclaimed them pure in their designs, and anxious only for the regeneration of the constitution.

The weight of taxation which was brought on by the efforts to pay the interest on the public debt, at a subsequent period, again awoke a desire for some economical reform, to retrench the expenses of the government, and with this view the legislatures of 1845 and 1846, passed and confirmed a bill to make the sessions of the general assembly biennial instead of annual. They further reduced the salary of the governor from forty-two hundred to two thousand dollars.

**Slavery and the Blacks.** In the contest for a reform of the constitution, in 1836, another question of an exciting character had mingled. It was feared by many that a convention, if assembled, might touch the relation of master and slave, and those interested in the matter, took care to have an additional guard thrown around their rights. To render useless any future agitation of abolition projects in Maryland, a provision was engrafted upon the constitution, declaring "that the relation of master and slave in this State shall not be abolished unless a bill for that purpose shall be passed by an unanimous vote of both branches of the general assembly, be published three months before a new election, and be unanimously confirmed by the succeeding legislature." Even then it was required that full compensation should be made to the master for the property of which he would be thereby deprived,—a provision produced by the interference of the fanatical abolitionists of the north, whose destructive sympathies have been most fatally bestowed upon the slave, invariably compelling the master, in the protection of his rights, to tighten the chain of bondage.

Even at the close of the revolution, the feelings of many of those, who had just emerged from the contest for liberty, were awakened in behalf of the negro slaves. Efforts were made by some to secure the gradual abolition of slavery, by others to raise the character of the free blacks. Memorials were even presented to the legislature on the subject of abolition—but the society framed for that purpose was compelled to desist from its proceedings, and was dissolved.\* But whilst every one considered the abolition of slavery as impossible, or at least impolitic, its existence was looked upon by many as an evil to be gradually removed. The legislature in 1805, and subsequently, expressed their decided hostility to the continuation of the African slave trade, and instructed their delegates, in congress, to propose or vote for an amendment to the constitution of the United States, for its immediate suppression, and a prohibition of the importation of slaves from the West Indies or any other foreign country.

By the existing clauses of the constitution of the United States, congress would in 1808, have had the power of complete legislation upon this subject. The proposition for an immediate change originated with Massachusetts and North Carolina: it was favorably received by Maryland, and was adopted by the house of delegates by a vote of forty-two to four, and in the senate without opposition.†

This favorable tendency of public opinion continued undiminished for many years, and its effect was perceived in the gradual decrease of the number of slaves and the increase of free blacks, by private and voluntary emancipation. In 1790 the number of slaves in Maryland was 103,036: they had increased in 1810 to 111,502, but continued, under the effect of the tendency already spoken of, to diminish year by year, until in 1840 they were reduced

\* Griffith's Annals; Votes and Proceedings, General Assembly.

† Votes and Proceedings 1806, p. 118.

to 89,619. The free blacks on the contrary have considerably increased; showing the extent to which this gradual emancipation has been carried. In 1790, they numbered only 8,043; in 1810, they had increased to 33,469; and in 1840, to 61,938—thus threatening to equal if not outnumber the slave population.

But this very result was deprecated from the outset; for many inconveniences were foreseen by the legislature from the existence in their midst of so large a body of men, destitute of political rights, in a degraded condition, and yet without proper subjective restraints. It was then deemed prudent to throw some restrictions in the way of manumission.

The restless and intriguing disposition of the northern abolitionists, and their fanatical proceedings, began materially to affect the condition of the slave in Maryland; the slave soon lost his hereditary affection for his master; the master could no longer place the wonted confidence in his slave. Once happy and contented in his condition, he was now restless and turbulent.\* The conspiracy of Nat Turner and his associates, in Virginia, had extended its ramifications over a portion of this State; but a misunderstanding about the day fixed for the rising, saved Maryland from the bloody scenes which were enacted in Virginia. Timely measures were taken, which prevented any attempt at an outbreak; and many of the conspirators were arrested. The firebrand of discord was thus cast into their midst; and, for their own protection, the people of the State were compelled to bind the chain still closer about the slave, while they enacted the most stringent laws for the government of the free blacks. The spirit of public emancipation was thus completely thrown back by the interference of fanatics, but private manumission still continued in spite of all restraints.

\* Carey's Slavery in Maryland.

The wiser and more humane friends of the Liberia negro, had early embarked in a truly noble and beneficent design—the American Colonization Society. Satisfied that the black man, could never mingle as an equal with the white race, they proposed to establish colonies on the western coast of Africa, and to settle, there, those of the free and emancipated blacks who should be willing to return to the land of their forefathers. A branch of this association was immediately formed in Maryland, as peculiarly suited to the views and necessities of the people. The association, however, was entirely subject to the National Society; and it was soon found to be too much under the control, or at least liable to the vexatious interference, of the northern abolitionists. It was, therefore, determined to establish an independent organization in the State, and plant a separate colony under the name of "Maryland," in Liberia. This design, with a praiseworthy perseverance, was accordingly carried into effect. As it was not only founded upon enlarged philanthropic views, but upon sound policy, in the condition of the State, with its large free black population, an appeal was made to the legislature, for assistance. It was generously afforded. An annual appropriation of twenty thousand dollars, to be raised by taxation, was bestowed upon the society, and never withheld or diminished in the darkest hours of pecuniary embarrassment; and three commissioners were appointed on behalf of the State to take part in its affairs. In spite of the opposition of the abolitionists, its bitterest enemies, the society continued to flourish; emigrants were yearly sent out to Cape Palmas; and the Maryland colony is now one of the most prosperous on the western shore of Africa, having a considerable trade, and being visited periodically by a regular packet from Baltimore.

The wisdom and good policy of fostering this noble scheme, is evident from a single glance at the statistics of



the African race in Maryland, and the necessary result of the present system of manumission. Their increase is exceedingly small—scarcely more than sufficient to supply the loss by deaths and transportation of slaves to the south. Thus in 1810, they numbered, free and slave, 144,971; in 1840, 151,657—so that in a period of thirty years their aggregate increase was only 6,686: and while there was an actual diminution in the number of slaves in that period of 21,783, there was a positive increase of free blacks of 28,469. In the same period the increase of the white population was 82,000. The diminution of the slaves, and the large increment of the free negroes over the actual growth of the whole black population, testify in part to the rapidity of the manumission, which is going on throughout the State by the voluntary act of the slaveholders. As these results continue, the number of free blacks increase—a race little productive to the State, weakening its military strength, depreciating its political position by their bare presence, and in time of war ready to become a source of domestic insecurity, through the intrigues of an enemy. It is therefore not only humanity, but good and sound policy, which has presided over this excellent institution, the Maryland State Colonization Society.

Public  
Schools.

While the people of the State were occupied with the struggle for the reform of the constitution, and with the condition of the black race in the State, they were not unmindful of the interests of education. It had been the early pride of Maryland that its metropolis, the ancient city of Annapolis, in colonial days had won the title of "the Athens of America," and the people had long turned their attention to the fostering of education. But the provisions made in those times, became, as the population increased, entirely insufficient, and schools and colleges were erected, and assisted by public and private munificence. At length in 1812, upon the application of

certain banks for a renewal of their charters, the legislature, deeming it a fit occasion to raise a permanent fund for the public schools, annexed to the act of extension, a condition that these corporations should pay annually to the State-treasurer, during the continuance of their charters, the gross sum of twenty thousand dollars, apportioned among them according to their capital.\* This sum was directed to be equally divided among the several counties of the State; and in 1816, nine "commissioners of the school fund," were appointed for each county, to superintend the application of the money.†

The system, adopted at that time, was subsequently much altered by local legislation, and was finally superseded by the formation of the primary school organization in 1825. This organization was much more enlarged: a superintendent of public instruction was directed to be appointed by the governor, while the levy courts of the respective counties annually selected nine commissioners of public schools, together with a number of other persons, not exceeding eighteen, to be inspectors. The commissioners were empowered to lay off, alter or regulate the school districts; to receive the money apportioned to the county, and divide it among the districts; to hold property as a body corporate for the use of the primary schools; and, with the inspectors, to examine and qualify all applicants for the office of teacher. The taxable inhabitants were directed to assemble in their respective districts to choose a district clerk, and to elect three trustees, who were to build and keep in repair school-houses, employ duly qualified teachers, and pay their salaries out of the money placed in their hands by the commissioners. They were required to report semi-annually to the commissioners, who in turn reported annually to the county clerk the condition of the schools. It was made the duty of the inspectors to visit the several schools quar-

\* Acts of Assembly, 1812.

† Ibid. 1816; 1825.

terly at least, and examine into the proficiency of the scholars and the good order and regularity of the schools. The powers exercised by the levy courts in the counties, were vested in the mayor and council of Baltimore, for the regulation of the primary schools of the city. Finally, the law erecting this extensive system was to be submitted to the people, and was only to be in force in those counties where a majority of votes were cast in its favor at the ensuing election. The revenues assigned for the purpose were to be divided amongst the counties and the city of Baltimore, in proportion to their white population.

This general system was soon adopted in several counties; but the particular wants of the different sections of the State induced much local legislation upon the subject, altering and modifying many features of the original organization. When the public debt of the United States was finally paid off, congress determined to distribute the surplus revenue among the States. Maryland invested more than \$600,000 of the amount which she received, for the benefit of the schools, the interest of which, with the former funds and new contributions from the banks, raised the annual fund distributed from the State treasury to \$65,631 81. This system gradually went into general operation, and its good results are every where perceived, in the improving intelligence of the people.

But that which perhaps more than all occupied the attention of the people, was the system of internal improvements which had been undertaken to secure the prosperity of the State. The immense mineral resources of western Maryland, the rich mines of iron ore, and the inexhaustible supply of coal which its mountains contained, made it a matter of peculiar importance to Maryland that the designs of the Potomac Company should be completed, irrespective of the growing trade of the west. A water communication into the heart

Public Improvements—  
the Canal.

of the mineral region, affording the cheapest means of transportation of such heavy articles, was almost absolutely necessary to develop fully its immense wealth and pour it into the markets of the Atlantic. But it was found in progress of time, after repeated efforts, that the mode of navigation proposed by the Potomac Company was insufficient and unworthy of the great object in view—the securing the trade of the west; and another and nobler work was contemplated. It was proposed that the Potomac Company should surrender its privileges to a new corporation, to be formed for the purpose of making a canal along the river to its head, and thence to the waters of the Ohio. The legislature of Maryland approved of the design, and a convention was called at the city of Washington, of delegates to be chosen by the people of the different counties of Virginia, Maryland, and Pennsylvania, to consider the best means of effecting so desirable an object. Delegates from fourteen counties in Virginia, one in Pennsylvania, and eight in Maryland, besides a full representation from each of the District cities, attended on the 6th of November, 1823. It was resolved that a company should be formed to construct a navigable canal, by Cumberland to the coal banks on the eastern side of the Alleghanies, and thence, as soon as practicable, to the highest point of navigation on the Ohio, or Monongahela: and, as it was contemplated to be finished by the joint efforts of the United States' government, Maryland, Virginia, Pennsylvania, and the subscriptions of private stockholders; it was proposed to designate it as “the Union Canal,” but its present name, the Chesapeake and Ohio Canal, was finally adopted. During the sessions of the convention, a communication was presented from two delegates from Ohio, proposing a further extension of the work by a canal from the Ohio through that State to the great lakes on the north; which portion of the design was finally accomplished by that State unaided.

In conformity with the recommendations of this body, an act was passed by Virginia on the 27th of January, 1824, and subsequently confirmed by Maryland, Pennsylvania, and the United States, to incorporate the Chesapeake and Ohio Canal Company.\* Maryland, wisely looking to the interest of its commercial metropolis, claimed and obtained the right of constructing, through any portion of the District of Columbia, a lateral canal, to terminate at the city of Baltimore. It further insisted upon the power, and maintained the expediency of the general government's fostering this great national work and aiding in its completion. It authorized the State treasurer in its name to subscribe five thousand shares of stock at one hundred dollars per share, on certain conditions.

The necessary legislation having thus been effected, a second convention assembled at Washington, composed of numerous delegates from Ohio, Pennsylvania, Maryland and Virginia, and approved of the charter thus tendered to them: the books were opened by the commissioners appointed for that purpose; and, the requisite amount of stock having been taken, the stockholders, in June, 1828, organized and formally accepted the charter. The United States subscribed for ten thousand shares of stock, and congress authorized the District cities to become stockholders. They accordingly took an aggregate of fifteen thousand shares. The amount of the subscription of Virginia was only seven hundred and seventy-seven shares. These subscriptions, together with the stock taken by individuals, brought the sum total to thirty-six thousand and eighty-nine shares, being a capital of \$3,608,900. It had been sanguinely estimated that the whole work could be completed to Cumberland on the scale at first contemplated—forty feet wide at top, twenty-eight feet at bottom, and four feet deep, for \$4,400,000. The dimensions however were afterwards in-

\* Canal records and proceedings; acts, &c.

creased, at the suggestion of the United States' government, to six feet in depth, and in width, ranging from sixty to fifty feet. The route was immediately selected and the work commenced.

While these measures were in progress, the people of Baltimore began to entertain fears that the work would interfere with their prosperity, and build up the District cities, at their expense. They doubted the feasibility of constructing the lateral canal; and a rail road to the waters of the Ohio, was determined upon. In February, 1827, a public meeting was called in the city, and a memorial preferred, at once, to the legislature. It was asserted, that the route of the rail road was the only practicable one, that it was shorter by one hundred and forty miles than that by the canal, and that it could be opened at an expense less by seven millions of dollars. In ten days after the application, a charter was granted by the legislature.

It was soon found that the best site for the passage of the road through the range of the Catoctin, was by the banks of the Potomac, already surveyed for the location of the canal, and scarcely of sufficient width for the construction of both works, between the mountains and the river on the Maryland side; and the Rail Road Company in advance procured the condemnation of the lands in that vicinity, by the means designated in their charter, to secure this important point. The surveys and other proceedings were taken with such rapidity, that they were completed before the Canal Company could procure and serve upon their agents a writ of injunction. A legal contest ensued, which resulted in the success of the Canal Company: but a compromise was afterwards effected, by which the Rail Road Company were allowed to pass along on a line parallel with the canal to Harper's Ferry, at which point it crossed the river to the Virginia side. Several years elapsed before the settlement of this vexatious dispute, which considerably

retarded the progress of the two works. To bestow an equal encouragement on the rail road, the State subscribed for five thousand shares of its stock, and authorized the city of Baltimore to subscribe for thirty thousand shares.

The spirit of improvement had now seized upon the people, and in every quarter new designs were formed. A rail road was projected from Baltimore to York, and a company incorporated for its construction, under the name of the "Baltimore and Susquehanna Rail Road." A branch of the Baltimore and Ohio road was turned towards Washington, a work which has proved very profitable to the State. With it was connected a lateral road to Annapolis. Large schemes for draining, improving, and canaling on the Eastern Shore were entertained; and on the Western, the rendering the Monocacy navigable, a lateral canal to Baltimore, and another to Annapolis, were dreamed of as things soon to be accomplished. Several of these schemes were never undertaken:—but to those that were commenced, the State subscribed largely, and the consequence was soon felt in a heavy public debt.

**Public debt.** The canal was already completed some distance beyond Harper's Ferry, when its resources failed: the national government determined to withdraw its assistance, and Virginia declined affording further aid. The only alternative now presented to the people of Maryland, was to abandon the work before it had reached such a point, as to become the means of developing the mineral resources of the western portion of the State, or to take upon themselves the whole burden of its construction. They determined to complete it to that point at all hazards. Another canal convention was called to meet at Baltimore, in December, 1834; it was attended by numerous delegates from the several States interested. They directed estimates to be made of the amounts necessary to complete the canal, and the York Rail Road, and a memorial to be presented to

the ensuing legislature, asking its assistance. The estimates were two millions of dollars for the canal, and one million for the rail road. The legislature listened to their prayers, and the treasurer was directed to issue the required amount of bonds of the State, bearing an interest of six per cent., not to be sold at less than fifteen per cent. above par, which premium was to be invested in good stocks to form a sinking fund for the payment of the bonds when due. The tolls of the works were pledged for the payment of the interest on the loan.

But it was soon discovered that the estimates were erroneous, and that a further loan would be necessary. Anxious to complete the rail road to the Ohio, and to obtain assistance for the contemplated Cross-Cut Canal, the people of Baltimore joined with those of the west, and another application was made to the legislature in 1835. The famous eight million bill was the result. It provided for a subscription of three millions to the Chesapeake and Ohio Canal; three millions to the Baltimore and Ohio Rail Road, half a million to the Maryland Cross-Cut Canal to Baltimore; half a million to the Annapolis and Potomac Canal; and one million to the Eastern Shore Rail Road. Even in those days of magnificent schemes and extravagant loans, this frightful issue of State bonds startled the legislature; and it adjourned, to meet again in extra session in May, 1836—for the purpose of enabling the delegates to take the sense of the people upon the measure.

When the legislature re-assembled, the bill was taken up, and, after a violent opposition, was passed and became a law. The bill required that the bonds should be disposed of at an advance of twenty per cent., and that the premium thus realized should be invested in aid of the sinking fund. It was found impossible to sell them at this rate abroad, and six millions of dollars were transferred to the Rail Road and Canal Companies, by arrangement



with the commissioners of the State. The three millions which fell into the hands of the Canal Company, were afterwards exchanged by the State for five per cent. sterling bonds, to the amount of \$3,200,000, and were disposed of at a very great sacrifice. Anxious to provide ample funds, the State in 1838, made a further subscription to the Canal Company of one million three hundred and seventy-five thousand dollars in bonds at five per cent. The proceeds of the sale of these bonds were soon exhausted, and a further loan was called for by the president of the company, but refused by the legislature. It was afterwards offered upon certain conditions which were not complied with, and the subscription was never made.

The amount of the State's interest in the canal in 1839, had swollen up to the sum of \$7,197,000.

In this liberal distribution of favors, other companies were not forgotten. One million of dollars in State bonds were loaned to the Tide Water Canal Company, for the interest of which their tolls were pledged, and seven hundred and fifty thousand dollars to the Baltimore and Susquehanna Rail Road, to enable this company to assist in the completion of the York and Wrightsville Road. The amount of the State's bonds thus issued had reached the enormous sum of \$16,050,000; three million two hundred thousand dollars of which remained in the possession of the Baltimore and Ohio Rail Road Company undisposed of.

As long as the companies to whom these loans had been made, were able either from the profits of their works or the proceeds of the bonds which they sold from time to time, to pay the interest falling due upon those already issued, the people of the State slumbered securely under this frightful load of debt. But at length the Chesapeake and Ohio Canal Company, having expended its resources, and being involved in almost irretrievable ruin by an issue of over half a million of worthless scrip paper—promises to

pay without any substantial basis—became no longer able to meet the calls for interest; other companies were in a like condition: and the startling announcement was made that there would be a deficit in the State treasury, by the 1st of December, 1840, of five hundred and fifty-six thousand three hundred and eighty-seven dollars and thirty-eight cents.

How was this deficit, almost double the annual revenue of the State, to be made good? By direct taxation! Politicians for a moment shrunk from the measure. To postpone it for a while, it was proposed to apply to the payment of the interest that portion of the surplus revenue, distributed by the United States, which had been received and set apart by Maryland for the school fund, and its bank stock, the remnants of the proceeds of the Bank of England stock re-invested in this State. This temporary expedient could at best have met only two years interest. The design was abandoned and it was at length resolved to have recourse to direct taxation.

The regular session of the legislature of December, 1840, passed without any provision for the payment of the interest, and it became necessary to call an extra session for that purpose. It convened on the 24th of March, 1841, and on the 1st of April an act was passed establishing a system for the valuation and assessment of property throughout the State, and the collection of a tax of twenty cents on every hundred dollars, which was afterwards increased to twenty five-cents. It was a painful experiment, yet it was necessary to preserve the honor of the State. In many places, it was received with reluctance, and slowly enforced. To make provision for the payment of the interest, accruing before any receipts could be expected from the new taxation, the treasurer was directed to borrow, upon an issue of bonds of the State, five hundred thousand dollars.

**Repudiation.** The imposition of new taxes is always an unpopular measure: and there were not wanting men who were desirous of resorting to any expedient, to escape the stern necessity. The prostration of the Canal Company, and the frequent failures to complete the work after repeated assistance by the State, had excited despair in the minds of the public. Propositions were made to dispose of the State's interest in this and the other public improvements to the highest bidders, and to receive in payment, at their par value, State bonds which were then depreciated fifty per cent.; or to transfer it to the holders of the bonds by compulsory sale in liquidation of the debt: and some few persons more desperate still, openly and avowedly promulgated the doctrine of the unqualified repudiation of the whole debt. The consequences were soon perceived, in the corruption of public feeling. Several counties refused to pay their taxes; collectors failed to act; and, in some places, the people even banded together to resist the execution of the law. The condition of affairs was deplorable. The inefficiency of the laws was increased by the unsoundness of public opinion in various sections; and the acts which were passed to enforce the collection of the revenue, almost fell powerless to the ground. The arrears of interest rapidly accumulated.

This condition could not long continue. The people of the greater portion of the State, had never failed to pay their taxes promptly; and, receiving tone from the exertions of many honorable and high minded men of both parties, public opinion at length became sounder and more healthy, and the small minority of repudiators was silenced. The legislature, elected by the people in the fall of 1844, assembled at Annapolis in December, with a fixed determination to restore the credit of the State and to pass all laws that might be necessary for that purpose. They were supported and encouraged in their patriotic views by the newly

elected governor, Thomas G. Pratt, who, in his inaugural address, recommended the passage of more stringent measures, and the adoption of new means of revenue. A certain degree of confidence was restored. Three years of taxation, discussion, opposition and gradual submission to its necessity, during the administration of Gov. Thomas, his predecessor, had prepared the way, and when the new governor entered upon his executive term, he found himself sustained by a general determination on the part of the people to support his measures for the restoration of State faith.

Public attention was once more directed towards the Chesapeake and Ohio Canal Company, the renewed energy of whose movements began to revive the hopes long entertained of a future revenue and final release from taxation by its completion. It was finished and navigable from Georgetown to Dam No. 6, fifty miles from Cumberland; and nearly all the intervening space, with the exception of eighteen miles partially excavated. It required about a million and a half of dollars to ensure its completion. The rail road had been at the same time constructed as far as Cumberland, when its available resources like those of the canal were exhausted. Mr. McLane, its president, made every effort to sustain the work. From the fact of its having reached Cumberland and been brought in connection with the western trade and travel, it yielded such returns as prevented it from becoming so much involved as the Canal Company. Both companies now recommenced their efforts to reach the termini of their routes,—the rail road to the Ohio, the canal to Cumberland.

In 1843, James M. Coale had been elected president of the Canal Company, and by his well digested and active measures, gave a new impulse to the work. By an arrangement with the Rail Road Company, he secured for a time the transportation of the coal trade from Cumberland

to Dam No. 6. In consequence of the measures adopted, a marked increase of the tolls was perceived, and by the strictness and economy introduced into the affairs of the company, it was for the first time enabled to meet from its revenue its annual expenses, and to some extent, pay off the accumulations of preceding years. The completion of this work, and the restoration of the public credit, seemed intimately connected together, and the success of the one necessary for that of the other. Therefore, while the legislature, in compliance with the recommendation of Gov. Pratt, had adopted prompt and efficient measures to raise full means to meet the annual interest of the State, without increasing the amount of the direct tax, it yielded to the earnest and able representations of Mr. Coale: and, on the 10th of March, 1845, passed an act, waiving the State liens, in favor of seventeen hundred thousand dollars worth of bonds, to be issued by the company at par, provided a guaranty should be given to the company, that, for five years after the completion of the work, not less than one hundred and ninety-five thousand tons, would be transported annually upon it. The whole energy of the company was now bent upon this object, backed by the exertions of the western counties and the District cities; and, at length the required guaranty was given, and approved by the State's agents and the governor—a contract made for the completion of the work to Cumberland; and after a series of difficult negotiations, the money raised and the work once more set in motion in November, 1847. While about the same time the Rail Road Company commenced its surveys to the Ohio in the hope of soon following its example.

In the mean while, the condition of the finances had rapidly improved; the measures adopted by the legislature, although objected to for a time, by their ample success overpowered opposition; the accumulated arrears of taxes were paid in,—every county in the State hastened to re-

deem its credit, and the effects of the new spirit were evident in the increased value of Maryland bonds at home and abroad. Still the interest of the debt was discharged in certificates or coupons, which, were taken in payment of taxes; but by their depreciated rate the creditor of the State received only a portion of his dues. The condition of the treasury had now become firm and prosperous; every year, a greater sum was received than would pay the current interest, but the surplus was exhausted in reducing the arrears of former years: and the governor, confident in the ability of the State to meet all its liabilities, recommended the legislature to fund those arrears, to repeal the coupon law, and to resume the cash payment of the interest of the debt.

In the spring of 1847, this desirable measure was adopted. The arrears of interest had been reduced, in three years, from one million four hundred and fifty thousand nine hundred and sixty-one dollars and fifty cents, to less than nine hundred thousand dollars, which were funded; the accruing interest of those three years paid; and the sinking fund largely increased with the prospect of its liquidating the whole debt, in less than thirty years, even unaided by the annual surplus, which might be in the treasury, over and above all demands. On the first day of January, 1848, the State resumed the regular payment of its interest at home and abroad, with the assurance that it will maintain unsullied the honor of its ancient name; an assurance strengthened and confirmed by the inaugural address of Philip Francis Thomas, the present governor.

The natural wealth of the soil of Maryland, its Agriculture. great fertility with little cultivation, had induced an evil system of husbandry which was productive of the worst results. The author of a "Relation of Maryland," published shortly after the settlement of the colony, says that "the soil was generally rich, and in many places two feet of

black rich mould with scarcely a stone, under which there was a good loam; whilst there was much ground fit for meadows and plenty of marl, both blue and white." Tobacco and corn formed the staple agricultural produce; and these two crops were raised alternately without a due regard to the preservation of the fertility of the soil by a judicious system of cultivation. The consequence was that the richest lands in time became impoverished, and those of less strength entirely barren and unproductive. Wide tracts of "old fields" were thrown out into common as their enclosures fell into decay, leaving a melancholy line of sickly verdure marking where the slovenly "worm-fence" had stood and rotted; the neglected homestead dropped into ruins slowly and steadily; and at length its owner, deserting his native State and all its proud memories, in which perhaps his stalwart fathers had borne their part, migrated to the new lands of western New York, or of Ohio and Kentucky. These desolate wastes met the eye in almost every portion of Maryland, and excited the forebodings of men who cherished the prosperity of their native State.

It was necessary that an effort should be made to arouse public attention and to awaken the husbandman from his apathy. Agricultural societies were formed throughout the counties, a State association was assembled, an excellent journal established to advocate the cause of the noblest of all pursuits—the cultivation of the soil. Men of enterprise turned their attention to the restoration of these barren wastes, and soon presented to the astonished eye of the advocates of the ancient system, the "old fields" renovated suddenly by the power of lime, guano and composts judiciously applied, and blooming and producing with something of their pristine fertility. The spirit of improvement did not rest with these; the man of smaller means imitated their example and profited by their experience. The barren wastes of the last generation are becoming smiling fields groaning

with yellow harvests, and rich meadows waving with sweet scented grasses; the voices of a thriving rural population sound like music once more in these long deserted ranges; and the last "old field" of Maryland will soon yield to the onward progress of agricultural improvement.\*

While this advance in agriculture was going <sup>Manufactures</sup> on the manufacturer was not idle. Many of the streams of Maryland were admirably calculated for the purposes of propelling machinery, and wherever there was a site for a factory, the aroused enterprise of the people seized upon it, until the State has become a manufacturing as well as a commercial and agricultural community.

In the war lately existing between the United <sup>The Mexican War.</sup> States and Mexico, the State furnished more than two thousand men to the army. At its commencement, Gov. Pratt was notified by the president to hold two regiments of volunteers in readiness as the quota of the State; he promptly responded to the call; but the troops were never ordered into service. A brigade was offered to the government but declined; and only a battalion, raised jointly in the District of Columbia and the State, accepted. It served with distinction, and lost its leader, the gallant Watson, at the storming of Monterey. When ten new regiments were raised by congress, only four companies were assigned to Maryland—a company of dragoons, under Capt. Richard T. Merrick, and three of voltigeurs, under Capts. Oden Bowie,† J. B. Archer, and John Eager Howard,—the last named a grandson of the gallant hero of Eutaw and Cowpens, who

\* Witness Montgomery county, not long since deemed one of the poorest counties of the State, and now almost among the most productive. To "the American Farmer," an excellent but unpretending Journal, the people of the State owe much of this improvement; and State pride should induce every man to aid it in its laudable efforts to spread light upon the important science of agriculture.

† Capt. B., in consequence of illness brought on by former service in Mexico, resigned, and the company was filled only in part in this State.



proved himself worthy of his grandsire's name—first mounting the walls of Chapultepec, at the head of his men and slaying several of the foe with his own hand. A battalion of light artillery, under Col. Hughes, was also furnished by Maryland and the District cities, which won high encomiums for its skill and bravery. But the actions of all these brave men are recorded in the nation's history: and the names of Ringgold, Ridgely, Watson, and a hundred others scarcely less distinguished, have been added to the roll of the sons of Maryland, who have died in arms for the glory of their country.

Thus stands Maryland, now, nobly erect; its escutcheon washed free from the stain of repudiation; its fair fame redeemed; its prosperity redoubled; its great canal hastening to its completion to develop the mineral wealth of its mountains; its rail road about to span the Alleghanies and strike the Ohio, annihilating distance, and pouring the trade of the West into the lap of Baltimore; its Metropolis growing with a rapidity almost beyond precedent; its agriculture, commerce, and manufactures, flourishing more than at any former period; and its people, swelling with the recollections of the past, rejoicing at the return of peace once more to the land, and proudly welcoming back to their midst, those gallant sons who have borne forward, as their fathers did of yore, the Stars and Stripes of the Union, through serried rank, against frowning battery, and over towering wall, with the brave OLD MARYLAND BAYONET.





# APPENDIX.



82\*

8 A



## APPENDIX A.

## LIST OF OFFICERS OF THE MARYLAND BATTALION AND INDEPENDENT COMPANIES, 1776.

Col. William Smallwood.  
 Lieut. Col. Francis Ware.  
 Major Thomas Price.

## CAPTAINS.

- 1 John Hawkins Stone,
- 2 Patrick Sim,
- 3 Barton Lucas,
- 4 Daniel Bowie,
- 5 Nathaniel Ramsey,
- 6 Peter Adams,
- 7 Jehn Day Scott,
- 8 Samuel Smith,

## FIRST LIEUTS.

John Kidd,  
 Benjamin Ford,  
 William Sterrett,  
 Joseph Butler,  
 Levin Winder,  
 Nathaniel Ewing,  
 Thomas Harwood of Thos.  
 James Campbell,

## SECOND LIEUTS.

John Beames,  
 Alexander Roxburg,  
 Joseph Baxter,  
 Alexander Murray,  
 David Pункett,  
 Thomas Goldsmith,  
 Joseph Ford,

## ENSIGNS.

Benjamin Chambers.  
 Henry Gaither,  
 William Ridgely.  
 Edward Praul.  
 Walker Muse.  
 John Jordan.  
 James Feele.  
 Bryan Philipot.

Jacob Brice, Adjutant.

Dr. Chas. Fred. Weisenthal, Surgeon.

Dr. Wm. Dashiell, Surgeon's Mate.

## LIGHT INFANTRY.

George Stricker | Thomas Smyth, Jr. | James Ringgold, | Hatch Dent.

## OFFICERS OF THE SEVEN INDEPENDENT COMPANIES.

- 1 Bennet Bracco,
- 2 John Gunby,
- 3 Solomon Long,
- 4 James Hindman,
- 5 John Allen Thomas,
- 6 Thomas Woolford,
- 7 Edward Veazy,

John Halkerstone,  
 Uriah Forrest,  
 Ely Dorsey,  
 Archibald Anderson,  
 John Steward,  
 John Eccleston,  
 William Harrison,

Thomas Beale,  
 William Bowie,  
 Dixon Quinton,  
 Edward Hindman,  
 John Davidson,  
 Hooper Hudson,  
 Samuel S. Wright,

Colmore Williams.  
 Benjamin Brooks.

William Frazer.  
 Henry Neale.  
 Liburn Williams.  
 Edward DeCoursey.

## ARTILLERY.

Nathaniel Smith, | William Woolsey, | Alexander Farnival, | George Keepott.

## OFFICERS OF THE RIFLE COMPANIES.

CAPTAINS.		FIRST LIEUTS.	SECOND LIEUTS.	ENSIGNS.
1	Michael Cresap,	Thomas Warren,	Joseph Cresap,	Richard Davis.
2	Thomas Price,	Otho Holland Williams,	John Ross Key,	Henry Hardman.
3	Philemon Griffith,	Thomas Hussey Luckett,	Adamson Tannehill,	Elijah Evans.
4	Richard Davis,	Daniel Cresap,	Nieman Tannehill,	
	John Smith,	James M. Lingah,	Rezin Davis.	

\* This was one of the original companies re-organized. The first and second served before Boston in 1775—the two others were raised subsequently.

## GERMAN BATTALION.

Lieut. Col. George Stricker.

Major Ludowick Welner.

CAPTAINS.		FIRST LIEUTS.	SECOND LIEUTS.	ENSIGNS.
1	William Keiser,	George Lora,	Christian Meyers,	Martin Shugart.
2	Henry Fister,	Charles Baltzell,	Michael Boyer,	Jacob Gromath.
3	Philip Graybill,	Jacob Kutz,	Adam Smith,	Paul Christman.
4	William Keeporda,	Samuel Geroock,	William Ritter,	John Landenberger.

## APPENDIX B.

FLYING CAMP, 1776. FROM MARYLAND CONVENTIONS.

Brigadier General Rezin Beall.

*First Battalion.—Frederick County.*Col. Charles Greenberry Griffith.  
Lieut. Col. Henry Shryock.Major Peter Mantz.  
Qr. Master Richard Thompson.



## THIRD BATTALION CONTINUED.

CAPTAINS.	FIRST LIEUTS.	SECOND LIEUTS.	ENLISTED.
John Brooke, (3) John Hawkins Lowe, (4) Robert Bowie, Alexander Howard Magruder, Edward Norwood, (5) Edward Tiliard, Daniel Dorney, James Disney, Thomas Hammond,	Frederick Skinner, John M. Burgess, Benjamin Brooks, William Sprigg Bowle, Samuel Godman, Samuel Lloyd Chew, Joseph Burgess, Henry Ridgely, Thomas Mayo,	Nathaniel Wilson, William Duval, William Dent Beall; Benjamin Contee, John W. Dorsey, John Sprigg Belt, John Loral, Jonathan Selman, Joshua Merrikin,	James Somerville. Horatio Clagett. William Shireliff. Alexander Trueman. Richard Talbott. John Killy. Michael Burgess. Edward Spurrier. Andrew Hammond.

*Fourth, Eastern Shore Battalion—Cecil (1), Kent (2), Queen Anne's (3), Talbot (4), Caroline (5),  
and Dorchester (6).*

CAPTAINS.	FIRST LIEUTS.	SECOND LIEUTS.	ENLISTED.
Joshua George, (1) Walter Alexander, Isaac Perkins, (2) Thomas Smyth, John Dean, (3) John Dames, Greenberry Goldsborough, (4) Zabdiel Potter, (5) Philip Fildeman, Thomas Burk, (6)	Col. William Richardson. Lieut. Col. Joseph Earle.	Adj't Robert Campbell.	Major William Hopewell. Qr. Master Samuel Edmonson.
William Veazy, Andrew Porter, Jr. Andrew Falconer, James Williamson, John Hawkins, Thomas Lane Emory, Woolman Gibson of John, Thomas Wyer Lockerman, Henry Downes, Jr. Berkit Falcon,	John Stockton, Harman Arrault, Jesse Corzden. Nathaniel Kiphard, John Neville, Samuel Wright Thomas, John Thomas, Jr. Levin Handy, John Reynolds, John Lynch,	Richard Bird. George Hamilton. James Henry. Josiah Johnson. Samuel Earle. John Jackson. Perry Benson of James. Philip Casson. Thomas Mason. James Woolford Gray, 84 Lt.	

Two battalions were subsequently added—but the men were incorporated with the above.





*Second Battalion.*

Thomas Price, Colonel.

## CAPTAINS.

John Steward,  
Archibald Anderson,  
John Eccleston,  
Ely Dorsey,  
Solomon Long,  
John Davidson,  
Samuel T. Wright,  
Henry Neale,

## FIRST LIEUTS.

Hooper Hudson,  
Thaddeus Beale,  
John Gale,  
Benjamin Price,  
William Bromfield,  
Robert Chesley,  
Richard Grace,  
Lilburn Williams,

John Gunby, Lieutenant Colonel.

## SECOND LIEUTS.

Samuel Smith,  
Edward Edgerly,  
John Gray,  
Edward Dyer,  
James Winchester,  
Ignatius Semmes,  
John Hardman,  
Edward Duvall,

Benjamin Ford, Major.

## SERGEANTS.

Archibald McAllister,  
James Ewing,  
John Read,  
William Wheeler,  
John Blackstone,  
Robert Bolton,  
Henry Trout.

*Third Battalion.*

Mordcai Gist, Colonel.

John H. Lowe,  
Henry Ridgely,  
Benjamin Brooks,  
Joseph Marbury,  
Samuel Chew,  
Edward Hindman,  
Samuel Griffith,  
Jacob Brice,

Moratio Chagett,  
John Smith,  
William Willmott,  
Samuel Jones,  
George Armstrong,  
Robert Portheus,  
John Bailey,  
Henry Lyles,

Nathaniel Ramsey, Lieutenant Colonel.

Francis Revelly,  
William Mollohon,  
Peter Clark,  
Hezekiah Reeder,  
Nicholas Manger,  
John Deaver,  
Charles Griffith,  
James Allison,

Uriah Forrest, Major.

John James,  
John Tuomy,  
Isaac Duvall,  
Thomas Gordon,  
Gassaway Watkins,  
Osborne Williams,  
Samuel Farmer,  
Peter Cockey.

*Fourth Battalion.*

Josias Carrill Hall, Colonel.

Edward Norwood,  
Daniel Dorsey,  
Thomas Yates,  
Thomas Landdale,

William Duvall,  
Edward Spurrier,  
Edward Oldham,  
William Shircliff,

Samsel Smith, Lieutenant Colonel.

John Kittle,  
S. Sheldermine,  
Thomas Cromwell,  
Charles Sewel,

John Eager Howard, Major.

Joseph Britton,  
John Hamilton,  
Nathaniel Twining,  
John Bowen.

John Burgess,  
Samuel Godman,  
William S. Bowie,  
Jonathan Sellman,

John S. Belt,  
William Riley,  
William Adams,  
James Smith,

John Lewis,  
Richard Talbott,  
Jeremiah Crabb,

Joseph Warfield,  
Nicholas Dorsey,  
David Ferguson,  
Edward Edwards

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William Richardson, Colonel.

John Dean,  
John Hawkins,  
Richard Emory,  
Jesse Cozden,  
Levin Handy,  
John Lynch,  
James Henry,  
Joiah Johnson,

James Hindman,

William Frazier,  
Mark Benton,  
Gideon Emory,  
Andrew Porter,  
Perry Benson,  
James W. Gray,  
George Hamilton,  
William Alexander,

### *Fifth Battalion.*

Thomas Smyth, Major.

Thomas Jones,  
James Gould,  
Levin King,  
Henry Truelock,  
John Wilburn Watts,  
Philip Read,  
Samuel Simbitt,  
Jacob Jones,

Thomas Smyth, Major.

Thomas Jones,  
James Gould,  
Levin King,  
Henry Truelock,  
John Wilburn Watts,  
Philip Read,  
Samuel Simbitt,  
Jacob Jones,

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### *Sixth Battalion.*

Otho Holland Williams, Colonel.

Andrew Hynes,  
Robert Harris,  
Henry Barnes,  
Moses Chapline,  
Levin Laurence,  
Henry Dobson,  
W. D. Beale,  
Alexander Trueman,

Isaac McCreakin,  
B. Scott,  
Stephen Steward, Jr.,  
John Smith,  
Christopher Oradorff,  
Joshua Miles,  
Alexander Estep,  
Paul Parker,

Henry Shryock, Lieut. Colonel.

John Jeremiah Jacobs,  
Robert Morgan,  
Lambert Boyer,  
Nathan Williams,  
James Bruff,  
William Stewart,  
James Sommerville,  
George Ireland,

Edward Tillard, Major.

John McCreary,  
John Geoghegan,  
John Markell,  
George Jacob,  
Edward Lloyd Wailes.

### *Seventh Battalion.*

Peter Adams, Lieut. Colonel.

D. I. Adams, Major.

## CAPTAINS.

John Reynolds,  
Henry Hardman,  
Benjamin Spyker,  
Adam Gresh,  
Daniel Stull,  
Elisha Williams,  
Mountjoy Bailey,  
Frederick Deams,

## FIRST LIEUT.

Greenbury Gaither,  
John Courts Jones,  
Richard Anderson,  
John Stockton,  
John Griffith,  
Jonathan Morris,  
William Beatty,  
James Toole,

## SECOND LIEUT.

Nicholas Seybert,  
Edward Downes,  
Dennis Griffith,  
Edward Clayton,  
Van Sweeringen,  
David Lynn,  
Lloyd Beall,  
William Clark.

## SERGEANTS.

William Martindale,  
Zephaniah Beall,  
Edward Wright,  
John Drain,  
Peter Hardcastle,  
William Lamar.

## APPENDIX D.

The following arrangement of the Maryland Line after its reorganization in 1781, with the accompanying remarks and explanations in the hand-writing of Gen. Smallwood, was found among the papers of Gen. Gist who commanded the second brigade of the Division.

## ARRANGEMENT OF THE MARYLAND LINE, JUNE 1, 1781.

*First Regiment.*

1. Otho H. Williams, Colonel, 1st January, 1777.
2. John Stewart, Lieut. Colonel, 16th February, 1781.
3. John Eccleston, Major, 10th December, 1777.

## CAPTAINS.

4 Jonathan Sellman,  
13 Edward Teall,  
19 William Reilly,  
13 John Sprigg Belt,  
19 Christian Orndorff,

## WERE COMMISSIONED.

1777, 10th January.  
1777, 10th June.  
1777, 18th October.  
1777, 15th December.  
1778, 1st April.

## CAPTAINS.

32 Richard Bird,  
37 George Armstrong,  
43 Lloyd Beall,  
45 Thomas B. Hugo,

## WERE COMMISSIONED.

1780, 12th June.  
1780, 11th February  
1781, 10th February.  
1781, 12th June.

LIQUTENANTS.	WHEN COMMISSIONED.	LIQUTENANTS.	WHEN COMMISSIONED.
5 William Lamar,	1777, 15th November.	45 Hazekiah Ford,	1780, 16th August.
2 James Ewing,	1778, 29th May.	54 John J. Lowe,	1781, 20th January.
14 James John Skinner,	1778, 18th September.	55 Edward M. Smith,	1781, 19th February.
18 Isaac Davall,	1779, 10th April.	57 Samuel Edmiston,	1781, 14th March.
23 John Hamilton,	1779, 1st June.	59 John Trueman,	1781, 16th March.
28 William Woolford,	1779, 11th September.		
35 William Raison,	1780, 26th January.	1 Richard Pindell, Surg.	
40 Joshua Burges,	1780, 11th March.	1 Ezekiel Hayne, Mate.	

*Second Regiment.*

1. John Gunby, Colonel, 17th April, 1777.  
 2. John Dean, Major, 11th March, 1779.

LIQUTENANTS.	WHEN COMMISSIONED.	CAPTAINS.	WHEN COMMISSIONED.
5 Alexander Trueman,	1777, 1st January.	33 Thomas Mison,	1779, 8th June.
9 Jonathan Morris,	1777, 14th April.	38 John Gassaway,	1780, 2nd April.
14 Walker Muse,	1777, 10th June.	43 Adam Hooper,	1781, 16th March.
19 William Wilmot,	1777, 15th October.	44 Samuel McPherson,	1781, 26th April.
24 John Jordan,	1777, 26th December.		

LIQUTENANTS.	WHEN COMMISSIONED.	LIQUTENANTS.	WHEN COMMISSIONED.
1 Edward Dyer, Capt. Lieut.	1780, 16th September.	41 William Murdoch,	1780, 1st April.
6 John A. Hamilton,	1780, 1st February.	46 Zedekiah Moore,	1780, 10th September.
10 Christopher Richmond,	1778, 27th May.	50 Mark McPherson,	1781, 1st January.
2 William Adams,	1779, 8th June.	56 Jacob Crawford,	1781, 26th February.
7 Nicholas Gassaway,		58 William Smoot,	1781, 16th March.
21 Arthur Harris,	1779, 26th October.	59 James Arthur,	
26 Thomas Price,	1780, 11th February.	66 Walter Warfield, Surg.	

*Third Regiment.*

1. Peter Adams, Lieut. Col. Commanding, 1st August, 1779.

7. Thomas Landsdale, Major, 19th February, 1781.

4. Henry Hardman, Major, 29th March, 1779.

CAPTAINS.		CAPTAINS.		WHEN COMMISSIONED.	
1	Henry Dobson,	25	James Woodford Gray,	1777,	28th December.
6	Joseph Marbury,	29	Edward Spurrier,	1779,	20th May.
10	Liburn Williams,	34	Benjamin Price,	1779,	1st July.
15	Robert Chesley,	39	Richard Waters,	1779,	7th April.
20	John Smith, (6)				

LIEUTENANTS.		LIEUTENANTS.		WHEN COMMISSIONED.	
2	Francis Revelly,	32	William Pendergast,	1779,	29th October.
7	James Gould,	37	Henry Baldwin,	1780,	11th February.
11	James Winchester,	42	David Luckett,	1780,	7th April.
15	Philip Reid,	47	Walter Dyer,	1780,	6th September.
20	John Hartshorn,	51	Nathan Wright,	1781,	1st January.
24	Rignal Hillary,	60	John Boone,	1781,	12th April.
28	Philip Hill.	3	Levin Denwood, Surg.		

*Fourth Regiment.*

2. Thomas Woolford, Lieut. Col. Commanding, 28d October, 1779.

6. Alexander Roxburg, Major, 7th April, 1780.

4. Levin Winder, Major, 17th April, 1777.

CAPTAINS.		CAPTAINS.		WHEN COMMISSIONED.	
2	John Lynch,	26	George Hamilton,	1778,	28th January.
7	Jacob Brice,	30	David Lynn,	1779,	22d May.
11	Henry Gaither,	35	John Mitchell,	1779,	16th July.
16	John Courts Jones,	40	Jonathan Gibson,	1780,	1st May.
21	Richard Anderson,				

LIEUTENANTS.		LIEUTENANTS.		WHEN COMMISSIONED.	
3	Nicholas Mangers,	38	Edmund Compton,	1779, 16th April.	1780, 18th February.
8	James Simmes,	43	Joshua Rutledge,	1778, 27th May.	1780, 1st May.
13	Peter Harcastle,	48	John Brevet,	1778, 14th September.	1780, 20th September.
33	Benjamin Garnett,	53	John McCoy,	1778, 18th October.	1781, 1st January.
19	William Stoddert,	61	Robert Hatherston,	1778, 21st May.	1781, 26th April.
29	Levascha d'Neubrunne.	63	Henry Gassaway,		1781, 12th May.
33	Nathan Smith,	4	William Kelly, Surg.	1779, 16th September.	

*Fifth Regiment.*

LIEUTENANTS.		LIEUTENANTS.		WHEN COMMISSIONED.	
3	William Dent Beall,	27	Petty Benson,	1777, 1st January.	1778, 11th March.
8	John Smith, (3)	31	James Somerville,	1777, 1st January.	1779, 1st June.
13	Edward Oldham,	36	William Bruce,	1777, 20th May.	1779, 1st August.
17	Horatio Claggett,	41	Edward Edgerly,	1777, 10th October.	1779, 10th September.
23	John Gale,			1777, 10th December.	

LIEUTENANTS.		LIEUTENANTS.		WHEN COMMISSIONED.	
4	James Bruff,	39	Benjamin Tickle,	1777, 7th October.	1780, 19th February.
18	Gessaway Watkins,	44	Roger Nelson,	1778, 14th September.	1780, 16th July.
17	Jacob Norris,	49	Thomas Boyd,	1778, 26th November.	1781, 1st January.
21	John Lynn,	53	John Sears,	1779, 1st June.	1781, 1st January.
25	Samuel Hanson,	63	Henry Clements,	1779, 1st August.	1781, 26th April.
30	Thomas Rowse,	64	Adam Jamieson,		1781, 1st June.
34	Robert Denny,			1780, 2d January.	

## SUPERNUMERARIES IN THE SEVEN REGIMENTS OF THE MARYLAND LINE.

Colonel Josias Carvill Hall, of the late 4th, supernumerary, 1st January, 1781.  
 Lieut. Col. Edward Tilhard, do. 4th do.

The above arrangement of the officers of the Maryland Line under the present establishment ordered by congress, will be found accurate, and contains a true state of their rank, respectively, up to the present time; part of the line being in Carolina and part in Maryland, the arrangement could not be completed on the first of January, pursuant to the resolution of congress, but the rank has been adjusted, upon the principle of seniority, to that date, and the promotions regularly made since to such vacancies as have happened.

The soldiers, of the late seven Maryland regiments being incorporated, now form the first and second regiments: those now levied, and about to be levied in the State, to be first marched to the southward, form the third regiment; and it is proposed, as soon as the State completes her quota, or levies more, sufficient to form the two other regiments, to dissolve the incorporation of the first and second, and assign the non-commissioned officers and old soldiers of those regiments to the first, second, third, fourth and fifth, to which they formerly belonged, in which the non-commissioned officers and soldiers of the late sixth and seventh—the Maryland part of the rifle and German regiments—the Maryland companies raised in the State, in other continental corps, and the Maryland Artillery, are to be equally divided, unless the artillery should be continued as a corps, which the State has made application for to congress.

This disposition, as soon as circumstances may admit, seems most just and desirable to the officers in general, and must tend to promote the service, by placing a proportion of the old troops in each of the present regiments.

The Maryland part of the rifle and German regiments not being incorporated, or considered as distinct corps, nor included or arranged in the Maryland Line, have, notwithstanding, together with such companies as abovesaid and the Maryland Artillery, been considered a part of the State quota. I am therefore induced to make the following return of the officers in these corps, to show their pretensions to such provision as has been granted, or may hereafter be made by congress, for them.

The dates of commissions, and the promotions they might have been entitled to at the time of dissolution, I have in few instances been able to ascertain, for want of proper returns of their respective state of rank and vacancies; nor from this cause could I ascertain or include the names or rank of any officers commanding the companies coming under the above description, except in Col. Nathaniel Gist's regiment.

#### OFFICERS IN THE MARYLAND ARTILLERY.

##### CAPTAINS.

William Brown.  
Richard Dorsey.

##### CAPTAIN LIEUTENANTS.

Ebenezer Finley.  
James Smith.

##### FIRST LIEUTENANTS.

Robert Wilmot,  
Jacques Bacques,  
Nicholas Rickets,

Young Wilkinson,  
Clement Skerrett,  
James McFaddon.

##### SECOND LIEUTENANTS.

Isaac Rawlings,

John Chevere,

John Carson.

## OFFICERS IN THE MARYLAND PART OF THE RIFLE CORPS.

## CAPTAINS.

Thomas Hussey Lucket,                      James M. Lingan,  
 Adamson Tannehill,                      Rezin Davis,  
    Lieutenant Elijah Evans—but claims a captaincy.

## OFFICERS IN THE MARYLAND PART OF THE GERMAN CORPS.

Lieut. Colonel Lodowick Weltner, commissioned 9th August, 1777.

## CAPTAINS.

Charles Baltzell, 10th May, 1777.      Christ'r Myers, 12th March, 1778.  
    Michael Boyer, 25th May, 1778.

## LIEUTENANTS.

Martin Shugart, 25th May, 1778.  
 Jacob Gromath, 4th January, 1778.  
 David Morgan, 8th April, 1778.

## ENSIGN.

Jacob Reybold, 24th July, 1778.

## SURGEON.

Alexander Smith, August, 1778.

## OFFICERS IN THE MARYLAND PART OF COL. NATHANIEL GIST'S REGIMENT.

Major Nathaniel Mitchell.

## CAPTAINS.

John Gist,                      Joseph Smith,                      Joseph Britain.

There are many other officers not included here who raised their companies in, and went from, the State of Maryland into the continental line, who come under the same description with those above enumerated; therefore, upon application, the expediency of admitting their claims must necessarily come under consideration.

W. SMALLWOOD, M. G.\*

\* These several military organizations have been given as a matter of great interest—to enable the reader to trace the different officers who distinguished themselves, in their promotions from the commencement to the close of the war.

## APPENDIX E.

## TABLE OF REGULARS AND MILITIA FURNISHED BY MARYLAND DURING THE REVOLUTION.

	REGULARS.	MILITIA.
1775 .....	250	
1776 .....	1,704	2,592
1777 ..	2,080	1,535
1778 .....	3,807	
1779 .....	2,849	
1780 .....	2,065	1,280
1781 .....	770	
1782 .....	1,280	
1783 ..	974	
Regulars.....	15,229	8,407
Militia.....	5,407	
Total.....	20,636	



## APPENDIX F.

## LIST OF MEMBERS OF THE CINCINNATI SOCIETY OF MARYLAND.

*Taken from the original rolls, deposited with the Maryland Historical Society.*

NAME.	TIME OF SERVICE.	TIME OF DEMISSION.	RESIDENCE.*
W. Smallwood,	Major General,	7 years 10 months,	Charles County.
M. Gist,	Brigadier General,	7 " 10 "	Baltimore.
O. H. Williams,	do.	7 "	"
N. Ramsey,	Lieut. Col. Comdg.	5 "	Annapolis.
John Eccleston,	Major,	7 " 19 "	Dorchester County.
H. Hardman,	do.	7 " 5 "	Fredericktown.
John Davidson,	do.	7 "	Annapolis.
William D. Beall,	do.	7 "	Prince George's County.
William Brown,	do.	7 "	Annapolis.
Jacob Brice,	Captain,	7 " 10 "	"
Richard Dorsey,	do.	7 "	Baltimore.
Ezekiel Hayne,	Surgeon,	4 "	Somerset County.
Thomas Boyd,	Lieutenant,	4 "	Prince George's County.
Thomas Mason,	Captain,	7 "	Caroline County.
Samuel McPherson,	do.	6 " 10 "	Charles County.
Henry Baldwin,	Lieutenant,	5 "	Anne Arundel County.
J. Hamilton,	Captain,	5 "	Baltimore County.
John L. Elbert,	Assistant Surgeon,	6 " 8 "	Talbot County.
George Hamilton,	Captain,	7 "	Cecil County.
Basil Burgess,	Lieutenant,	2 " 3 "	Anne Arundel County.
Thomas Price, Jr.	do.	6 " 11 "	Frederick County.
James Smith,	Captain of Artillery,	6 " 10 "	Annapolis.
Jonathan Morris,	Captain,	7 "	Fredericktown.
C. Ricketts	Lieutenant,	6 "	Montgomery County.

\* Several Officers, as will appear from the List, settled out of the State at the close of the war.

Isaac Rawlings,	Lieutenant,	5 years,	Disolution, 1788,	Calvert County.
Edward Oldham,	Captain,	7 " "	do.	Baltimore County.
John Kilty,	do.	6 " "	Reform, 1788,	Anne Arundel County.
William Reilly,	do.	6 " "	Disolution, 1783,	Baltimore County.
Perry Benson,	do.	7 " "	do.	Talbot County.
Lloyd Beall,	do.	7 " "	do.	Montgomery County.
Abraham Lamar	do.	6 " "	Reform, 1783,	Prince George's County.
Michael Boyer,	do.	5 " "	do. 1781,	Fredericktown.
James Craik,	Physician to General Washington.	6 " "	Disolution, 1783,	Charles County.
Benjamin Price,	Captain,	7 " "	Reform, 1783,	Washington County.
James Bruff,	do.	6 " "	do.	Queen Anne's County.
William Bruce,	do.	7 " "	Disolution, 1783,	Charles County.
A. Tannehill,	do.	5 " "	Reform, 1781,	Washington County, Pa.
J. D. Carey,	Lieutenant,	4 " "	Disolution, 1783,	Frederick County.
John J. Jacob,	do.	2 " "	Resigned; January, 1781,	Washington County.
Edward Dyer,	Captain,	4 " "	Reform, January, 1783,	Frederick County.
Philip Reed,	do.	6 " "	do.	Kent County.
Samuel Hanson,	Lieutenant,	6 " "	Disolution of the Army,	Charles County.
Samuel B. Beall,	do.	1 " "	Reform, 1783,	Montgomery County.
Edward Spurrier,	Captain,	7 " "	do.	Anne Arundel County.
J. Brevitt,	Lieutenant,	3 " "	Disolution of the Army,	Baltimore County.
William Pendergast,	do.	4 " "	do.	Annapolis.
Thomas Rouse,	do.	7 " "	do.	Prince George's County.
William Kilty,	Surgeon,	5 " "	Reform, 1783,	Anne Arundel County.
Francis Revelly,	Captain,	6 " "	Disolution, 1783,	Culpeper, Va.
John Gasaway,	do.	7 " "	do.	Annapolis.
Anthony Harris,	Lieutenant,	4 " "	do.	Calvert County.
Thomas A. Dyson,	do.	2 " "	do.	Charles County.
Henry Clements,	do.	3 " "	do.	Charles County.
Samuel Edmiston,	do.	3 " "	do.	Baltimoretown
John T. Lowe,	do.	3 " "	do.	Prince George's County.
William Smoots,	do.	3 " "	Reform, 1783,	Charles County.

NAMES.	RANK.	TIME OF SERVICE.	TIME OF DISMISSION.	RESIDENCE.
Malachi Bonham,	Lieutenant,	2 years 1 month,	Dissolution, 1783,	Frederick County.
Gerard Wood,	Surgeon's Mate,	1 " 6 "	Reform, 1783,	Charles County.
Hezekiah Ford,	Lieutenant,	6 " 2 "	Dissolution, 1783,	Charles County.
Henry H. Chapman,	do.	1 " 10 "	Reform, 1783,	Charles County.
Isaac Hanson,	do.	4 " 10 "	Dissolution, 1783,	Anne Arundel County.
Benjamin Finkle,	do.	2 " 2 "	do.	Frederick County.
Thomas Beatty,	do.	3 " 10 "	do.	Frederick County.
Mark McPherson,	do.	7 " 10 "	do.	Charles County.
Henry Gaither,	Captain,	3 " 10 "	do.	Montgomery County.
John Sears,	Lieutenant,	3 " 10 "	Dissolution of the Army,	Cecil County.
Christopher Richmond,	Captain,	5 " 6 "	do.	Annapolis.
R. Anderson,	do.	7 " 6 "	do.	Montgomery County.
Edward Compton,	Lieutenant,	5 " 6 "	do.	Charles County.
John Smith,	Captain,	7 " 4 "	do.	Frederick County.
E. Hall, Jr.	Lieutenant,	4 " 7 "	do.	Cecil County.
James Woolford Gray,	Captain,	7 " 7 "	Resigned, June, 1781,	Dorchester County.
John Mitchell,	do.	7 " 7 "	Dissolution, 1783,	Charles County.
Nathan Wright,	Lieutenant,	7 " 7 "	do.	Dorchester County.
William Goldsborough,	do.	7 " 7 "	do.	Talbot County.
Walker Muse,	Captain,	7 " 7 "	do.	Dorchester County.
John H. Stone,	Colonel,	3 " 8 "	Resigned, August, 1779,	Annapolis.
Samuel F. Keene,	Surgeon's Mate,	2 " 5 "	Dissolution of the Army,	Queen Anne's County.
Jacques Baquéz,	Lieutenant,	6 " 5 "	do.	Annapolis.
Clement Skerrett,	do.	5 " 7 "	do.	Baltimore.
John Spriggs Belt,	Captain,	7 " 3 "	do.	Prince George's County.
Henry Geesaway,	Lieutenant,	3 " 4 "	do.	Annapolis.
Samuel Smith,	Lieutenant Colonel,	8 " 4 "	do.	Baltimore.
William Pace,	Governor of Mary	land, elected 22nd	Resigned, 22d Aug. 1779,	Annapolis.
Robert Gerry,	Lieutenant,	7 years,	November, 1783,	Annapolis.
John Gunby,	Colonel,	7 " 7 "	Reform, January, 1783,	Baltimore.
Edward Pratt,	Captain	7 " 7 "	Dissolution, 1783,	Somerset County.
				Harford County.

John Swan,	Major Lt. Drag.	6 years 11 months,	Disolution, 1783,	Baltimore.
James McCubbin Lingan,	Captain	4 " 6 "	Reform, January, 1781,	Montgomery County.
Rexin Davis,	do.	4 " 6 "	do.	Hagerstown.
James McFadon,	do.	1 " 9 "	Disolution of the Army,	Baltimore.
Mountainjoy Bailey,	do.	3 "	Resigned, 14th Sep. 1778,	Frederick County.
Paul Bentolou,	do. Pulaski's Lgn.	4 "	Reform, March, 1781,	Baltimore.
J. E. Howard,	Lieut. Col. Comdg.	4 "	Resigned, Jan. 1783,	"
James Manly,	Surgeon,	3 "	do. April, 1782,	"
J. Carvill Hall,	Colonel,	5 "	Reform January, 1781,	Harford County.
R. Pindell,	Surgeon,	6 "	Disolution, 1783,	Elkridge.
J. Sellman,	Major,	7 "	Deranged, Jan. 1st, 1783,	Annapolis.
Tench Tluphama,	Lieutenant Colonel,	6 "	Disolution, 1783,	Baltimore.
Levin Wilder,	do.	7 " 10 "	do.	Somerset County.
John Carlisle,	Major,	7 "	Disolution of the Army,	Harford County.
R. McAllister,	Captain,	4 "	Retired in April, 1781,	Baltimore.
John Hughes,	do.	6 "	Resigned in October, 1781,	Harford County.
Richard Waters,	do.	6 "	Deranged, Jan. 1st, 1783,	Somerset County.
Moses Rawlings,	Lieutenant Colonel,	4 "	Resigned, Jan. 1779,	Washington County.
J. Peale,	Captain,	3 " 6 "	do.	Philadelphia.
A. Hoopes,	do.	7 "	Disolution of the Army,	"
Walter Warfield,	Surgeon,	6 "	do.	Maryland.
Thomas Woolford,	Lieut. Col. Comdg.	7 "	Reform, 1783,	Dorchester County.
Benjamin Brooks,	Major,	7 "	do.	Prince George's County.
Thomas Lansdale,	do.	7 "	do.	"
John Gale,	do.	6 "	Disolution,	Somerset County.
L. W. Williams,	Captain,	7 "	Reform, 1783,	Prince George's County,
James Ewing,	do.	6 "	do.	Somerset County.
George Handy,	do.	5 "	Disolution,	Somerset County.
John Trueman,	Lieutenant,	7 "	Reform, 1783,	Annapolis.
James Brayo,	do.	3 " 4 "	Resignation,	Talbot County.
Gassaway Watkins,	Captain,	7 "	Disolution,	Anne Arundel County.

NAME.	TIME OF SERVICE.	TIME OF DISMISSION.	RESIDENCE.
Joseph Smith,	5 years 6 months,	Reform, 1781,	Baltimore.
Levin Denwood,	6 "	Disolution,	Somerset County.
Alexander Trueman,	7 "	Reform, Jan. 1783,	Annapolis.
Richard Childerson,	7 "	Disolution,	Montgomery County
James Winchester,	7 "	do.	Frederick County.
G. Winchester,	5 "	Reform, 1783,	"
Samuel Turbutt Wright,	3 "	Resigned, July 1st, 1779,	Queen Anne's County.
D. Luckett,	5 "	Contin'd in Service to 1785,	Charles County.
Osborn Williams,	3 "	Resigned, 1780,	Prince George's County.
do.	2 "	Disolution,	"
Joseph Cross,	7 "	do.	Harford County.
John Smith,	3 "	Reform, 1779,	Baltimore County.
Alexander Furnivall,	4 "	do. 1781,	Hagerstown.
Rezin Davis,	4 "	do. 1783,	Calvert County.
James Somervill,	7 "	In Service to July, 1784,	Washington County.
John Lynn,	5 "	Disolution,	Anne Arundel County.
Elisba Harrison,	1 "	do.	Baltimore.
Adam Jamison,	3 "	do.	"
Joshua Rutledge,	4 "	Resigned, 1783,	Prince George's County.
T. Marshall,	3 "	Reform, 1783,	Montgomery County.
David Lynn,	6 "	do. 1783,	Annapolis.
Robert Denny,	7 "	Disolution,	Prince George's County.
Philip Hill,	7 "	do.	Queen Anne's County.
P. Fitzbugh,	5 "	do.	Oecil County.
J. G. Heron,	3 "	Resigned, 1780,	Dorchester County.
Nathan Wright,	4 "	Disolution,	Queen Anne's County.
Samuel Y. Koond,	2 "	do.	Anne Arundel County.
David Hopkins,	8 "	do.	Baltimore.
John Lynch,	7 "	do.	Charles County.
Daniel Jenifer, Jr., Phys. & Surg. to Gen. Hosp.,	5 "	Reform, 1782.	

In connection with these several rolls of revolutionary officers, a description of the uniforms worn by the several corps of the continental army is appended, as of general interest. It is extracted from a letter from George Washington P. Custis, Esq. to Gen. John Spear Smith, President of the Maryland Historical Society, to whose kindness the author is indebted for its appearance here. It has, he believes, never before been published.

## THE GENERAL STAFF.

"Blue and buff (*the ancient whig colors of England*) were adopted by Washington, as the uniform of the *company* that he first commanded, in the dawn of our troubles with the mother country. Buff lining to coat; buff under-clothes; black stock; black boots; cocked hat, with black ribbon cockade; white plumes for the general officers; yellow buttons, and sword mountings. Washington always wore a white stock, and, never, a plume."

## ARTILLERY.

"Blue coat, red facings and linings; red waistcoat; white breeches, half leg black gaiters; black stock; cocked hat, with black cockade; plume, red and blue—red uppermost; and yellow buttons."

## INFANTRY.

"Blue coat with red facings, white lining and white under-clothes; black gaiters and stock; cap with blue and white plumes. *Light Infantry*.—Short coatees, with blue and white plume, white buttons, and silver sword mountings."

## LIFE GUARD.

"Blue coat with white facings, white under-clothes, white lining; black gaiters; blue and white plume: officers, cocked hats, blue and white plumes. Washington's Life Guard was a major's command—180 picked men, commanded by Gibbs and Colfax—the crack corps of the army."

## RIFLEMEN.

"Hunting shirt and leggins—picturesque costume of the woodsmen, and the veritable *emblem of the Revolution*. Morgan's riflemen wore, in winter, blue and white uniforms; hat turned up at the side with buck's tail; belt, tomahawk and knife."

## CAVALRY.

"Lee's Legion, same as Tarleton's German Rangers, green and black—green buttons; buff under-clothes."

## WASHINGTON'S HORSE.

"Blue and red, white under-clothes, white buttons and silver mountings."

"N. B. On the colors of the rifle corps, was the tomahawk, instead of a spear."

## APPENDIX G.

## THE LORDS PROPRIETARY OF MARYLAND.

1632. Cecilius Calvert, Second Lord Baltimore.  
 1675. Charles Calvert, Third " "  
 1715. Benedict Leonard Calvert, Fourth Lord Baltimore.  
 1715. Charles Calvert, Fifth " "  
 1751. Frederick Calvert, Sixth and last Lord Baltimore.  
 1771 to 1776. Henry Harford, Last Proprietary.

## APPENDIX H.

## GOVERNORS OF MARYLAND.

1633. Leonard Calvert.  
 1647. Thomas Greene.  
 1649. William Stone.  
 1654. Commissioners under Parliament.  
 1658. Josiah Fendall.  
 1661. Philip Calvert.  
 1662. Charles Calvert.  
 1667. Charles Lord Baltimore.  
 1678. Thomas Notley.  
 1681. Charles Lord Baltimore.  
 1685. William Joseph, Pres. of Deputies.  
 1689. Convention of Protestant Association.  
 ROYAL GOVERNORS.  
 1692. Sir Lionel Copley.  
 1693. Sir Edmond Andros.  
 1694. Francis Nicholson.  
 1699. Nathaniel Blackistone.  
 1703. Thomas Tench, President.  
 1704. John Seymour.  
 1709. Edward Lloyd, Pres.  
 1714. John Hart.

## PROPRIETARY GOVERNMENT.

1715. John Hart.  
 1720. Charles Calvert.  
 1727. Benedict Leonard Calvert.  
 1732. Samuel Ogle.  
 1733. Charles Lord Baltimore.  
 1735. Samuel Ogle.  
 1742. Thomas Bladen.  
 1747. Samuel Ogle.  
 1752. Benjamin Tasker, Pres.  
 1753. Horatio Sharpe.  
 1769. Robert Eden.

## THE REVOLUTION.

- 1774-5-6. Convention and Council of Safety.

## STATE GOVERNMENT.

1777. Thomas Johnson.  
 1779. Thomas Sim Lee.  
 1782. William Paca.  
 1785. William Smallwood.  
 1788. John Eager Howard.  
 1791. George Plater.  
 1792. Thomas Sim Lee.  
 1794. John H. Stone.  
 1797. John Henry.  
 1798. Benjamin Ogle.  
 1801. John Francis Mercer.  
 1803. Robert Bowie.  
 1806. Robert Wright.  
 1809. Edward Lloyd.  
 1811. Robert Bowie.  
 1812. Levin Winder.  
 1815. Chas. Ridgely, of Hampton.  
 1818. Charles Goldsborough.  
 1819. Samuel Sprigg.  
 1822. Samuel Stevens, Jr.  
 1825. Joseph Kent.  
 1828. Daniel Martin.  
 1829. Thomas King Carroll.  
 1830. Daniel Martin.  
 1831. George Howard.  
 1832. James Thomas.  
 1835. Thomas W. Veazey.  
 1838. William Grason.  
 1841. Francis Thomas.  
 1844. Thomas G. Pratt.  
 1847. Philip Francis Thomas.

## APPENDIX I.

MEMBERS OF THE MARYLAND CONVENTION OF 1776, WHICH  
FRAMED THE CONSTITUTION OF THE STATE.*St. Mary's County.*

Richard Barnes,  
Ignatius Fenwick,  
George Plater,  
Jeremiah Jordan.

*Charles County.*

Robert T. Hooe,  
John Dent,  
Thomas Semmes,  
John Parnham.

*Calvert County.*

Benjamin Mackall,  
Charles Grahame,  
William Fitzhugh,  
John Mackall.

*Prince George's County.*

Walter Bowie,  
Benjamin Hall,  
Osborn Sprigg,  
Luke Marbury.

*Anne Arundel County.*

John Hall,  
Brice T. B. Worthington,  
Rezin Hammond,  
Samuel Chase.

*Frederick—Lower District, now  
Montgomery County.*

Thomas Sprigg Wootton,  
Jonathan Wilson,  
William Bayly, Jr.  
Elisha Williams.

*Middle District—Frederick County.*

Adam Fischer,  
Upton Sheredine,  
Christopher Edelen,  
David Schriver.

*Upper District—Washington and  
Alleghany Counties.*

Samuel Beall,  
Samuel Hughes,  
John Stull,  
Henry Schnebly.

*Baltimore County.*

Charles Ridgely,  
Thomas Cockey Deye,  
John Stevenson,  
Peter Shepherd.

*Harford County.*

Jacob Bond,  
Henry Wilson, Jr.  
John Love,  
John Archer.

*Cecil County.*

Joseph Gilpin,  
Patrick Ewing,  
David Smith,  
Benjamin Brevard.

*Talbot County.*

Pollard Edmondson,  
John Gibson,  
Matthew Tilghman,  
James Lloyd Chamberlaine.

*Caroline County.*

Nathaniel Potter,  
William Richardson,  
Richard Mason,  
Henry Dickinson.

*Dorchester County.*

Robert Goldsborough,  
James Murray,  
John Ennalls,  
James Ennalls.

*Somerset County.*

Gustavus Scott,  
George Scott,  
William Horsey,  
Henry Lowes.

*Worcester County.*

Samuel Handy,  
Peter Chaille,  
Smith Bishop,  
Josiah Mitchell.



*Kent County.*

Thomas Ringgold,  
William Ringgold,  
Joseph Earle,  
Thomas Smyth.

William Bruff,  
Solomon Wright.

*Baltimore City.*

John Smith,  
Jeremiah T. Chase.

*Queen Anne's County.*

Turbut Wright,  
James Kent,

*Annapolis.*

William Paca,  
Charles Carroll of Carrollton.

MATTHEW TILGHMAN, *President.*

GABRIEL DUVAL, *Clerk.*

## APPENDIX J.

RATIFICATION OF THE CONSTITUTION OF THE UNITED  
STATES BY THE MARYLAND CONVENTION, 1788.

*In Convention of the Delegates of the People of the State of Maryland,  
28th April, 1788.*

WE, the delegates of the people of the State of Maryland, having fully considered the Constitution of the United States of America, reported to Congress by the Convention of Deputies from the United States of America, held in Philadelphia on the 17th day of September, in the year 1787, of which the annexed is a copy, and submitted to us by a resolution of the General Assembly of Maryland, in November Session, 1787, do, for ourselves, and in the name and on the behalf of the people of this State, assent to and ratify the said constitution.

In witness whereof, we have hereunto subscribed our names.

GEORGE PLATEN, *President.*

Richard Barnes,  
Charles Chilton,  
N. Lewis Sewall,  
William Tilghman,  
Donakison Yeates,  
Isaac Perkins,  
William Granger,  
Joseph Wilkinson,  
Charles Graham,  
Daniel Sullivan,  
James Shaw,  
Joseph Gilpin,  
H. Hollingsworth,  
James Gordon Heron,  
Samuel Evans,  
Fielder Bowie,  
Osborne Sprigg,  
Benjamin Hall,  
John Chesley, Jr.  
William Smith,  
G. K. Brown,

J. Parnham,  
Zeph. Turner,  
Michael Jenifer Stone,  
R. Goldsborough, Jr.  
Edward Lloyd,  
John Stephens,  
George Gale,  
Henry Waggaman,  
John Stewart,  
John Gale,  
N. Hammond,  
Abraham Few,  
William Paca,  
J. Richardson,  
William Richardson,  
Matt. Driver,  
Peter Edmondson,  
James McHenry,  
John Coulter,  
George Digges,

Nicholas Carrole,  
Alexander C. Hanson,  
James Tilghman,  
John Seney,  
James Holliday,  
William Helmsley,  
Peter Chaille,  
James Martin,  
William Morris,  
John Done,  
Thomas Johnson,  
Thomas Sim Lee,  
Richard Potts,  
Thomas Sprigg,  
John Stull,  
Moses Rawlings,  
Henry Shryock,  
Thomas Cramphin,  
Richard Thomas,  
William Deakins, Jr.  
Benjamin Edwards.

Attest:

WILLIAM HARWOOD, *Clerk.*

## APPENDIX K.

## MARYLAND SENATORS IN THE UNITED STATES' SENATE.

## WESTERN SHORE.

1789, March 4th,.....Charles Carroll of Carrollton.  
 1793, January 10th,.....Richard Potts.  
 1796, November 30th,.....John Eager Howard.  
 1803, March 4th,.....Samuel Smith.  
 1816, January 29th,.....Robert G. Harper.  
 1816, December 20th,.... Alexander Contee Hanson.  
 1819, December 21st,.....William Pinkney.  
 1822, December 15th,.....Samuel Smith.  
 1833, March 4th,.....Joseph Kent.  
 1838, January 4th,.....William D. Merrick.  
 1845, March 4th,.....Reverdy Johnson.

## EASTERN SHORE.

1789, March 4th,.....John Henry.  
 1797, December 11th,.....James Lloyd.  
 1800, December 12th,.....William Hindman.  
 1801, November 19th,.....Robert Wright.  
 1806, November 25th,.....Philip Reed.  
 1813, May 21st,.....Robert H. Goldsborough.  
 1819, December 21st,.....Edward Lloyd.  
 1826, January 24th,.....Ezekiel F. Chambers.  
 1835, January 13th,.....R. H. Goldsborough.  
 1836, December 31st,.... John S. Spence.  
 1841, January 5th,.....John Leeds Kerr.  
 1843, March 4th,.....James Alfred Pearce.

## APPENDIX L.

## VOTES OF THE MARYLAND ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES.

No. of Electors.	Term.	Year.	
6	1	1793 to 1798	George Washington, 6; Robert Hanson Harrison, of Maryland, 6.
8	2	1798 to 1797	George Washington, 8; John Adams, of Massachusetts, 8.
11	3	1797 to 1801	John Adams, 7; Thomas Jefferson, 4; Thomas Pinckney, South Carolina, 4; Aaron Burr, 3; John Henry, of Maryland, 2.
10	4	1801 to 1805	Thomas Jefferson, 5; Aaron Burr, New York, 5; John Adams, 5; C. C. Pinckney, 5.
11	5	1805 to 1809	Thomas Jefferson, 9; George Clinton, New York, 9; C. C. Pinckney, 2; Rufus King, 2.
11	6	1809 to 1813	James Madison, Virginia, 9; George Clinton, 9; C. C. Pinckney, 2; Rufus King, New York, 2.
11	7	1813 to 1817	James Madison, 6; Elbridge Gerry, Massachusetts, 6; De Witt Clinton, New York, 5; Jared Ingersoll, Pennsylvania, 5.
8	8	1817 to 1821	James Monroe, Virginia, 8; Daniel D. Tompkins, New York, 8.
11	9	1821 to 1825	James Monroe, 11; Daniel D. Tompkins, 10; Robert Goodloe Harper, Maryland, 1.
11	10	1825 to 1829	Andrew Jackson, Tennessee, 7; J. C. Calhoun, 10; J. Q. Adams, 3; William H. Crawford, 1; Andrew Jackson, 1 for Vice President.
11	11	1829 to 1833	Andrew Jackson, 5; J. C. Calhoun, 5; J. Q. Adams, 6; Richard Rush, Pennsylvania, 6.
10	12	1833 to 1837	Andrew Jackson, 8; M. Van Buren, 3; Henry Clay, 5; John Sergeant, Pennsylvania, 5.
10	13	1837 to 1841	William H. Harrison, Ohio, 10; John Tyler, Virginia, 10.
10	14	1841 to 1845	William H. Harrison, 10; John Tyler, 10.
8	15	1845 to 1849	Henry Clay, 8; Theodore Frelinghuysen, 8.
8	16	1849 to 1853	Zachary Taylor, Louisiana, 8; Millard Fillmore, New York, 8.

## APPENDIX M.

## POPULATION OF MARYLAND.

Year.	Whites.	Negro Slaves.	Free Blacks.	Total.
1634	The first col-	ony, about..	.....	200
1660	.....	.....	.....	12,000
1665	.....	.....	.....	16,000
1671	.....	.....	.....	20,000
1701	.....	.....	.....	30,000
1715	40,700	9,500	.....	50,200
1748	94,000	36,000	.....	130,000
1756	107,963	46,225	.....	154,188
1775	About.....	.....	.....	200,000
1782	170,688	33,262	.....	254,050
1790	208,649	103,036	8,043	319,728
1800	222,402	107,708	19,587	349,697
1810	235,575	111,502	33,469	380,546
1820	261,305	107,806	38,789	407,850
1830	291,224	102,878	52,968	447,040
1840	317,575	89,619	61,988	469,232

## POPULATION OF THE COUNTIES OF MARYLAND

In 1790, 1800, 1810, 1820, 1830, and 1840, as shown by the census taken in those years.

## CECIL.

## KENT.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	3,407	163	10,055	13,625	5,443	655	6,748	12,83
1800	2,103	373	6,542	9,018	4,474	1,786	5,511	11,771
1810	2,467	947	9,652	13,066	4,249	1,979	5,222	11,450
1820	2,342	1,783	11,821	16,046	4,071	2,067	5,315	11,453
1830	1,705	2,249	11,478	15,432	3,191	2,260	5,050	10,501
1840	1,346	2,552	13,464	17,362	2,741	2,586	5,513	10,840

## CAROLINE.

## TALBOT.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	2,057	421	7,028	9,506	4,777	1,076	7,221	13,034
1800	1,863	602	6,759	9,226	4,775	1,591	7,070	13,436
1810	1,520	1,001	6,982	9,453	4,873	2,003	7,349	14,230
1820	1,574	1,390	7,144	10,108	4,769	2,234	7,386	14,389
1830	1,171	1,652	6,247	9,070	4,178	2,483	6,291	12,947
1840	768	1,727	5,373	7,868	3,693	2,336	6,069	12,108

## QUEEN ANNE'S.

## SOMERSET.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	6,674	618	8,171	15,463	7,070	268	8,272	15,610
1800	6,517	1,025	7,815	14,357	7,432	586	9,340	17,358
1810	6,381	2,738	7,529	16,648	6,975	1,058	9,162	17,195
1820	5,583	2,138	7,226	14,952	7,241	1,932	10,896	19,579
1830	4,872	2,866	6,559	14,397	6,556	2,239	11,371	20,166
1840	3,979	2,540	6,006	12,525	5,385	2,642	11,477	19,504

## DORCHESTER.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	5,877	528	10,010	15,875	8,836	178	7,626	11,640
1800	4,566	2,365	9,415	16,346	4,398	449	11,528	16,370
1810	5,032	2,661	10,415	18,108	4,427	1,034	11,490	16,971
1820	5,168	2,497	10,094	17,759	4,551	1,636	11,234	17,421
1830	5,001	3,000	10,685	18,686	4,032	2,430	10,197	16,659
1840	4,232	3,965	10,612	18,809	3,543	3,063	11,647	18,253

## WORCESTER.

## ALLEGANY.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	258	12	4,539	4,809	1,236	64	14,472	15,822
1800	499	101	5,703	6,303	2,200	342	16,106	18,650
1810	620	113	6,176	6,909	2,656	483	15,591	18,730
1820	795	195	7,664	8,654	3,201	627	19,247	23,075
1830	818	222	9,569	10,609	2,909	1,084	21,275	25,269
1840	811	216	14,677	15,704	2,505	1,556	24,801	28,862

## WASHINGTON.

## FREDERICK.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	3,641	213	26,937	30,791	5,877	604	18,953	25,434
1800	4,572	473	26,478	31,523	6,830	1,536	24,150	32,516
1810	5,671	783	27,968	34,437	6,697	1,537	21,021	29,255
1820	6,555	1,777	32,097	40,459	6,720	2,163	24,580	33,463
1830	6,370	2,716	36,703	45,789	6,533	3,098	30,625	40,256
1840*	4,420	2,987	27,575	34,982	*4,440	3,478	24,184	32,062

## BALTIMORE.

## BALTIMORE CITY.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	1,255	323	11,925	13,503	3,417	775	10,784	14,976
1800	2,843	2,771	20,900	26,514	4,264	1,344	12,018	17,626
1810	4,672	5,671	36,212	46,455	4,431	2,221	14,606	21,258
1820	4,357	10,326	48,055	62,738	3,320	1,387	11,217	15,924
1830	4,120	14,790	61,710	80,620	2,984	2,048	11,287	16,319
1840	3,212	17,980	81,321	102,513	2,537	2,449	11,915	16,901

## HARFORD.

## MONTGOMERY.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	6,030	294	11,679	18,003	11,176	164	10,004	21,344
1800	6,288	262	8,508	15,058	12,191	648	8,346	21,185
1810	7,572	677	9,731	17,980	9,189	4,929	6,471	20,589
1820	6,396	22	9,082	16,400	11,285	1,096	7,835	20,216
1830	6,447	1,266	12,103	19,816	11,585	1,202	7,667	20,474
1840	5,137	1,240	8,292	14,659	10,640	1,080	7,763	19,483

## PRINCE GEORGE'S.

## SAINT MARY'S.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	6,965	343	8,216	15,544	4,305	136	4,161	8,502
1800	6,399	622	6,678	13,699	4,401	307	3,899	8,297
1810	6,000	686	6,158	12,794	3,937	388	3,360	8,005
1820	6,048	894	6,032	12,974	3,668	694	3,716	8,078
1830	6,183	1,179	6,097	13,459	3,899	1,213	3,785	8,900
1840	5,757	1,413	6,074	13,244	4,401	1,292	3,402	9,095

## CALVERT.

## CHARLES.

## ANNE ARUNDEL.

	SLAVES.	F. COL.	WHITE.	TOTAL.	SLAVES.	F. COL.	WHITE.	TOTAL.
1790	10,085	404	10,124	20,613	10,180	804	11,664	22,598
1800	9,558	571	9,048	19,172	9,760	1,833	11,030	22,623
1810	12,435	412	7,398	20,245	11,693	2,536	12,439	26,668
1820	9,419	567	6,514	16,500	10,323	3,382	13,455	27,165
1830	10,129	851	6,789	17,769	9,997	4,076	14,222	28,295
1840	9,280	817	5,915	16,012	9,816	5,120	14,599	29,535

## \* CARROLL COUNTY.

1840—Slaves, 1,120; F. Col., 895; Whites, 15,228—Total, 17,238

## APPENDIX N.

NOTE to PAGE 22.—Whilst the above page was passing through the press, the author was kindly furnished with the following paragraph on the subject of Secretary Calvert's conversion, taken from "The Account of the Court of James the First," a work, attributed to Bishop Goodman, who lived at that era, but first published at London, in 1839:

"The third man who was thought to gain by the Spanish match was Secretary Calvert; and as he was the only secretary employed in the Spanish match, so undoubtedly he did what good offices he could therein, for religion's sake, being *infinitely addicted* to the Roman Catholic faith, having been converted thereunto by Count Gondemar, and Count Arundel, whose daughter Secretary Calvert's son had married—and as it was said, the secretary did usually catechise his own children, so to ground them in his own religion; and in his best room having an altar set up, with chalice, candlesticks, and all other ornaments, he brought all strangers thither, never concealing any thing, as if his whole joy and comfort had been to make open profession of his religion." vol. i, p. 376.

This, though entirely concurring with Fuller in regard to the *fact* of Secretary Calvert's conversion, and his zealous and open profession of the Catholic faith after that event, appears to be in conflict with him as to the *time* of the conversion. It is true, that the Bishop does not deal in dates, but by inference he conveys the idea that the conversion took place before Secretary Calvert's employment in the negotiation of the Spanish match, which was finally broken off in the beginning of the year 1624—having been agitated as early as 1617, two years before Calvert's appointment as Secretary. It is difficult to assign the precise period at which Calvert was first employed in this negotiation. Fuller (who wrote his life, while Goodman and Wilson only allude to him incidentally) distinctly states that Calvert's conversion took place in 1624, and that he assigned this fact to the King as his reason for tendering his resignation; his account has been adopted in the text after the example of nearly all the historians since that time who have treated of this subject, among whom are Kippis, Belknap, Dodd, Burnap, Bancroft, and McMahon.











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